

Exhibit 1

Page 1

1 UNITED STATES DISTRICT COURT
 2 WESTERN DISTRICT OF KENTUCKY
 3 LOUISVILLE DIVISION
 4
 5 CASE NO. 3:19-cv-851-BJB-CHL
 6
 7 CHELSEY NELSON PHOTOGRAPHY
 8 LLC and CHELSEY NELSON PLAINTIFFS
 9
 10 V. VIDEO DEPOSITION FOR THE DEFENDANTS
 11
 12 LOUISVILLE/JEFFERSON COUNTY
 13 METRO GOVERNMENT, et al. DEFENDANTS
 14
 15 * * *
 16 DEPONENT: CHELSEY NELSON
 17 DATE: FEBRUARY 16, 2021
 18
 19 * * *
 20
 21 ELLEN L. COULTER
 22 REGISTERED PROFESSIONAL REPORTER
 23 Coulter Reporting, LLC
 24 101 East Kentucky Street
 25 Suite 200
 Louisville, Kentucky 40203
 (502) 582-1627
 FAX: (502) 587-6299
 E-MAIL: Ecoulter@coulterreporting.com

Page 3

1 EXHIBITS (continued):
 2 Deposition Exhibit No. 11 237
 3 (Chelson Nelson Photography projects and
 receipts)
 4 Deposition Exhibit No. 12 243
 5 (Photograph)
 6 Deposition Exhibit No. 13 252
 7 (Photograph)
 8 Deposition Exhibit No. 14 255
 9 (Photograph)
 10 Deposition Exhibit No. 15 257
 11 (Photograph)
 12 Deposition Exhibit No. 16 259
 13 (Photograph)
 14 Deposition Exhibit No. 17 261
 15 (Photograph)
 16 Deposition Exhibit No. 18 263
 17 (Photograph)
 18 Deposition Exhibit No. 19 265
 19 (Photograph)
 20
 21
 22
 23
 24
 25

Page 2

1 INDEX
 2
 3 Examination by Mr. Kaplan 6
 4 Reporter's Certificate 273
 5
 6 EXHIBITS
 7
 8 Deposition Exhibit No. 1 125
 9 (Printout from Chelsey Nelson Photography
 website)
 10 Deposition Exhibit No. 2 136
 11 (Courier-Journal opinion piece written
 by Chelsey Nelson, November 21, 2019)
 12 Deposition Exhibit No. 3 160
 13 (Operating Agreement for Member-Managed
 Chelsey Nelson Photography, LLC)
 14 Deposition Exhibit No. 4 165
 15 (Wedding services celebrations statement
 and boutique editing services statement)
 16 Deposition Exhibit No. 5 175
 17 (Wedding Celebration Services Agreement
 form)
 18 Deposition Exhibit No. 6 198
 19 (Shelby and Brennan wedding proposal)
 20 Deposition Exhibit No. 7 204
 21 (Annie and Andrew wedding proposal)
 22 Deposition Exhibit No. 8 206
 23 (Sample timeline)
 24 Deposition Exhibit No. 9 218
 25 (Emmy Buckner and Max Chucker's inquiry)
 Deposition Exhibit No. 10 230
 (Megan and Ryan Kemp's project proposal)

Page 4

1 APPEARANCES
 2
 3 FOR THE PLAINTIFFS:
 4 JONATHAN A. SCRUGGS - Via Video
 5 BRYAN NEIHART - Via Video
 6 HAILEY VRDOLYAK - Via Video
 7 Alliance Defending Freedom
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 jscruggs@adflegal.org
 bneihart@adflegal.org
 hvrdolyak@adflegal.org
 9 FOR THE DEFENDANTS:
 10 JOHN F. CARROLL - Via Video
 11 JASON D. FOWLER - Via Video
 12 Assistant Jefferson County Attorneys
 13 531 Court Place, Suite 900
 Louisville, Kentucky 40202
 john.carroll2@louisvilleky.gov
 jason.fowler@louisvilleky.gov
 14 DAVID S. KAPALN - Via Video
 15 CASEY L. HINKLE - Via Video
 16 Kaplan Johnson Abate & Bird, LLP
 17 710 West Main Street, Fourth Floor
 Louisville, Kentucky 40202
 dkaplan@kaplanjohnsonlaw.com
 chinkle@kaplanjohnsonlaw.com
 18 ALSO PRESENT:
 19 KENDALL BOYD - Via Video
 20 GRETA MAAS - Via Video
 21 MODERATOR:
 22 T.J. BARR
 23 Coulter Reporting
 24
 25

Page 149

1 A. I'm not sure.

2 **Q. Okay. And the time that you're**

3 **becoming like concerned about this specifically, was**

4 **that in 2018?**

5 A. I was concerned specifically about

6 legal action since even before I formed my business

7 in 2016, but that broadened to the realization of the

8 specific ordinance in 2018.

9 **Q. So I understand from your testimony**

10 **just now that you did have some concerns from the**

11 **beginning, even in 2016. Why didn't you seek legal**

12 **counsel at that time?**

13 A. I hadn't thought about it.

14 **Q. Hadn't thought about what?**

15 A. Seeking legal counsel at that time.

16 **Q. Okay. And so there was a later point**

17 **in time where you still had these concerns where you**

18 **did seek legal counsel?**

19 A. Yes.

20 **Q. Okay. Did you contact legal counsel**

21 **or did legal counsel contact you?**

22 A. Legal counsel contacted me initially.

23 **Q. Contacted you what?**

24 A. Initially.

25 **Q. Okay. So you did not initially reach**

Page 150

1 **out to counsel. You were contacted by counsel.**

2 A. Yes.

3 **Q. Okay. And was that the law firm**

4 **that's currently representing you, the Alliance**

5 **Defense Fund?**

6 A. Alliance Defending Freedom, yes.

7 **Q. Sorry, Alliance Defending Freedom,**

8 **sorry, yeah. ADF. All right.**

9 **Let's get back to that in a second.**

10 **So -- well, actually, let's continue on that. So --**

11 **and, again, I don't want to know anything about any**

12 **conversations or communications written or otherwise**

13 **that you've exchanged with any attorney for Alliance**

14 **Defense Fund or any other firm that you've retained.**

15 **So with that clarification, is it true that you**

16 **started talking to attorneys at Alliance Defense Fund**

17 **in October 2018, that time frame?**

18 A. Alliance Defending Freedom, and I

19 don't remember the specific month when we would have

20 began speaking.

21 **Q. Okay. Yeah, I'm sorry, I keep getting**

22 **that name wrong. Alliance Defending Freedom. I must**

23 **know that other organization from some other former**

24 **life. I'm starting to get a little -- my memory is**

25 **failing me. So --**

Page 151

1 A. You can say ADF if that's easier.

2 **Q. So you -- I'm sorry?**

3 A. You can say ADF if that's easier.

4 **Q. Yeah, let's say ADF. So you don't**

5 **recall the year that you first spoke to an attorney**

6 **at ADF?**

7 A. I do recall the year. I think it was

8 2018.

9 **Q. Okay. So sometime in 2018. Were**

10 **those the first attorneys you talked to about this**

11 **particular concern that you were having about being**

12 **persecuted for your beliefs?**

13 A. In an official capacity, yes, I think

14 so.

15 **Q. Okay. And just to clarify, at the**

16 **time you started talking to legal counsel, you had**

17 **not actually been approached by a same-sex couple**

18 **asking you to photograph their wedding, is that**

19 **correct?**

20 A. That's correct.

21 **Q. And I think we've covered the closest**

22 **that you ever came to that was the Melissa -- Melissa**

23 **Glynn inquiry. Is that fair?**

24 A. Yes.

25 **Q. To your knowledge.**

Page 152

1 A. Yes, to my knowledge.

2 **Q. And the Melissa Glynn situation, that**

3 **arose in April of 2019, is that correct, after you**

4 **had already engaged legal counsel?**

5 A. It was after I'd already engaged legal

6 counsel. I don't remember the specific time frame

7 off the top of my head, but I believe I listed it in

8 the interrogatory answers.

9 **Q. Okay. Yeah, I probably -- I have that**

10 **in my outline. I put April 2019. That's probably**

11 **where I got that. But we can just refer to your**

12 **interrogatory answers for the definitive information.**

13 **And, again, I don't want to know about**

14 **the content of any communications, but who was the**

15 **first ADF representative that you spoke to, just the**

16 **name?**

17 A. Jonathan Scruggs.

18 **Q. And so, again, talking just**

19 **approximate time frames here, but from the time you**

20 **started talking to ADF until you filed your lawsuit**

21 **in November of 2019, that was over a year, wasn't it?**

22 A. I don't remember for sure.

23 **Q. You started talking to ADF sometime in**

24 **2018, is that correct?**

25 A. Yes.

Page 165

1 **what I'm referring to?**

2 A. I do. Could you pull up the document.

3 **Q. Yeah.**

4 **T.J., could you pull up tab AA.**

5 THE REPORTER: Is this being marked?

6 MR. KAPLAN: Yes, this is going to be

7 marked as Deposition Exhibit 4.

8 (DEPOSITION EXHIBIT NO. 4 MARKED)

9 **Q. Is that the first page of the**

10 **document? Okay. So that's the first page,**

11 **Ms. Nelson, so what I've provided you here are**

12 **documents produced to me by -- to me by your counsel.**

13 **I believe they are Exhibits 1 and 2 to your complaint**

14 **and they've been numbered CNP461 through -- I guess**

15 **there's probably four pages here, so -- 465.**

16 **So if you could -- T.J., if you could**

17 **just move to the second page.**

18 **And if you could just take a moment to**

19 **look at that, Ms. Nelson, and let me know when you're**

20 **prepared to answer questions.**

21 A. Okay.

22 **Q. Okay. So this is your wedding**

23 **services celebrations statement, is that correct?**

24 A. Yes.

25 **Q. And this -- is this the same text that**

Page 166

1 **is currently up on your website?**

2 A. To my knowledge, yes.

3 **Q. Okay. Your intention after you got**

4 **the injunction was to put this exact statement onto**

5 **your website. Is that accurate?**

6 A. Yes.

7 **Q. Okay. Who drafted this statement?**

8 A. I wrote it with my attorneys.

9 **Q. Was there someone who was the primary**

10 **draftsman, like the person who wrote -- who's most**

11 **responsible for it if you had to pick one person?**

12 A. Myself.

13 **Q. Okay. And then -- and then your**

14 **attorneys advised you after they -- based on a draft**

15 **you provided to them?**

16 A. My attorneys helped review what I

17 wrote, yes.

18 **Q. Okay. Did it change much?**

19 MR. SCRUGGS: Objection. I'm going to

20 object based on attorney/client privilege on that.

21 MR. KAPLAN: Okay.

22 MR. SCRUGGS: And instruct the witness

23 not to answer.

24 **Q. Did you do the first draft,**

25 **Ms. Nelson?**

Page 167

1 A. I don't remember.

2 **Q. When did you start working on this**

3 **statement? How long before the lawsuit, if you**

4 **recall?**

5 A. I don't remember when I first started

6 working on it.

7 **Q. Was it a long time before the lawsuit**

8 **or not such a long time?**

9 A. I honestly don't remember.

10 **Q. Are you familiar with Microsoft Word?**

11 A. Yes.

12 **Q. Okay. I'll represent to you that your**

13 **attorneys produced to me two Microsoft Word files.**

14 **One is the document we're looking at here, and the**

15 **other is the text that falls under the boutique**

16 **editing services statement. So they produced to me**

17 **Microsoft Word versions of these texts. Were you**

18 **aware they did that?**

19 A. Yes.

20 **Q. Okay. And I think you've stated in**

21 **your interrogatory answers that these documents were**

22 **finalized on or around November the 8th, 2019, is**

23 **that correct?**

24 A. I don't remember specifically, but

25 that generally sounds correct.

Page 168

1 **Q. Okay. You know, I'll -- have you ever**

2 **inspected the Word files by looking at the properties**

3 **of the files?**

4 A. Not that I remember.

5 **Q. Do you know how to do that where you**

6 **right click on it?**

7 A. I know how to do that for other files,

8 but I don't remember a time I've done that for a Word

9 file.

10 **Q. Okay. Do you know when these**

11 **documents were last saved?**

12 A. I don't remember.

13 **Q. Have you ever talked to someone named**

14 **Jessica Perske?**

15 A. I don't remember that name.

16 **Q. And I -- you may have already answered**

17 **this question, but I just want to make sure that I**

18 **ask the right question. Do you know whether or not**

19 **you went into Microsoft Word and drafted -- did the**

20 **first draft of this statement?**

21 A. I do not remember if I did, no.

22 **Q. Okay. You don't remember one way or**

23 **the other.**

24 A. No, I don't.

25 **Q. Okay.**

Exhibit 2

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION**

**CHELSEY NELSON PHOTOGRAPHY
LLC and CHELSEY NELSON,**

Plaintiffs,

v.

**LOUISVILLE/JEFFERSON COUNTY
METRO GOVERNMENT, et al.,**

Defendants.

Case No. 3:19-cv-851-BJB-CHL

**DEFENDANTS' RESPONSES TO
PLAINTIFFS' FIRST SET OF REQUESTS FOR ADMISSIONS**

Defendants Louisville/Jefferson County Metro Government, Louisville Metro Human Relations Commission – Enforcement, Louisville Metro Human Relations Commission – Advocacy, Kendall Boyd, in his official capacity as (former) Executive Director of the HRC, Marie Dever, Kevin Delahanty, Charles Lanier, Sr., Laila Ramey (former member), William Sutter, Ibrahim Syed, and Leonard Thomas, in their official capacities as members of the Louisville Metro Human Relations Commission-Enforcement (collectively, “Defendants”), by counsel, pursuant to Federal Rule of Civil Procedure 26 and 36, for their objections and responses to the First Set of Requests for Admissions served by Plaintiffs Chelsey Nelson Photography LLC and Chelsey Nelson (collectively, “Plaintiffs” or “Chelsey Nelson”), state as follows:

GENERAL OBJECTIONS

1. Defendants object to Plaintiffs’ First Set of Requests for Admissions as needlessly and unreasonably duplicative and therefore unduly burdensome and harassing.
2. Defendants object to the requests as abusive for utilizing a discovery tool intended

for fact discovery to request admissions or denials with respect to the contents of an unambiguous statute.

3. Defendants object to the requests as improper to the extent they seek admissions or denials with respect to pure legal conclusions based on hypothetical scenarios unrelated to the facts of this case. *See, e.g., Abbott v. U.S.*, 177 F.R.D. 92, 92-94 (N.D.N.Y. 1997); *The Atlanta Channel, Inc. v. Solomon*, 2020 WL 6781221, *6 (D.D.C. Nov. 18, 2020); *St. Jude Children's Research Hospital, Inc. v. Quest Diagnostics Inc.*, 2009 WL 10665119, *3 (W.D. Tenn. May 1, 2009); *Buchanan v. Chicago Transit Authority*, 2016 WL 7116591, *5 (N.D. Ill. Dec. 7, 2016).

OBJECTIONS AND RESPONSES TO REQUESTS FOR ADMISSIONS

Request for Admission No. 1: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC is a place of public accommodation under the Metro Ordinance.

Response: Admit.

Request for Admission No. 2: Please admit or deny whether the Enforcement Commission has the power to enforce the Metro Ordinance.

Response: Admit.

Request for Admission No. 3: Please admit or deny whether the Advocacy Commission has the power to enforce the Metro Ordinance.

Response: Deny.

Request for Admission No. 4: Please admit or deny whether, according to you, any person may file with the Enforcement Commission a complaint alleging an unlawful practice against a place of public accommodation under Metro Ordinance § 92.05(A).

Response: Deny. In order to file a complaint, the person must either claim to be aggrieved by an unlawful practice or be a member of the Human Relations Commission – Enforcement who

has reason to believe an unlawful practice has occurred. *See* Metro Ordinance § 92.09.

Request for Admission No. 5: Please admit or deny whether, according to you, any person may file with the Enforcement Commission a complaint alleging an unlawful practice against a place of public accommodation under Metro Ordinance § 92.05(B).

Response: Deny. In order to file a complaint, the person must either claim to be aggrieved by an unlawful practice or be a member of the Human Relations Commission – Enforcement who has reason to believe an unlawful practice has occurred. *See* Metro Ordinance § 92.09.

Request for Admission No. 6: Please admit or deny whether, according to you, any person may file with the Advocacy Commission a complaint alleging an unlawful practice against a place of public accommodation under Metro Ordinance § 92.05(A).

Response: Deny. The Advocacy Commission does not receive complaints.

Request for Admission No. 7: Please admit or deny whether, according to you, any person may file with the Advocacy Commission a complaint alleging an unlawful practice against a place of public accommodation under Metro Ordinance § 92.05(B).

Response: Deny. The Advocacy Commission does not receive complaints.

Request for Admission No. 8: Please admit or deny whether, according to you, a member of the Enforcement Commission may file with the Commission a complaint alleging an unlawful practice against a place of public accommodation under Metro Ordinance § 92.05(A).

Response: Admit, provided the member has reason to believe an unlawful practice has occurred. *See* Metro Ordinance § 92.09.

Request for Admission No. 9: Please admit or deny whether, according to you, a member of the Enforcement Commission may file with the Commission a complaint alleging an unlawful practice against a place of public accommodation under Metro Ordinance § 92.05(B).

Response: Admit, provided the member has reason to believe an unlawful practice has occurred. *See* Metro Ordinance § 92.09.

Request for Admission No. 10: Please admit or deny whether, according to you, a member of the Advocacy Commission may file with the Commission a complaint alleging an unlawful practice against a place of public accommodation under Metro Ordinance § 92.05(A).

Response: Admit, provided the member claims to be aggrieved by an unlawful practice prohibited by the Ordinance.

Request for Admission No. 11: Please admit or deny whether, according to you, a member of the Enforcement Commission may file with the Commission a complaint alleging an unlawful practice against a place of public accommodation under Metro Ordinance § 92.09(B).

Response: Admit, provided the member has reason to believe an unlawful practice has occurred. *See* Metro Ordinance § 92.09.

Request for Admission No. 12: Please admit or deny whether the photograph attached as Exhibit 1 conveys a message.

Response: Deny.

Request for Admission No. 13: Please admit or deny whether the photograph attached as Exhibit 2 conveys a message about a marriage.

Response: Deny.

Request for Admission No. 14: Please admit or deny whether the blog post attached as Exhibit 3 conveys a message about marriage.

Response: Deny.

Request for Admission No. 15: Please admit or deny whether, according to you, if Chelsey Nelson Photography LLC supplies the wedding services described under the heading “Services,

Products, Schedule and Storage” in its Wedding Celebration Services Agreement attached as Exhibit 4 to the general public, then Metro Ordinance § 92.05(A) requires Chelsey Nelson Photography LLC to supply the exact same services when someone requests wedding services for a same-sex wedding from Chelsey Nelson Photography LLC.

Response: Admit.

Request for Admission No. 16: Please admit or deny whether, according to you, if Chelsey Nelson Photography LLC supplies the boutique editing services described under the heading “Services, Products, Schedule and Storage” in its Boutique Editing Services Agreement attached as Exhibit 5, then Metro Ordinance § 92.05(A) requires Chelsey Nelson Photography LLC to supply the exact same services when someone requests wedding services for a same-sex wedding from Chelsey Nelson Photography LLC.

Response: Admit.

Request for Admission No. 17: Please admit or deny whether, according to you, if Chelsey Nelson Photography LLC supplies photographs for opposite-sex weddings to the general public (as described in paragraphs 93-107 of the Declaration of Chelsey Nelson in Support of Plaintiff’s Preliminary Injunction Motion), then Metro Ordinance § 92.05(A) requires Chelsey Nelson Photography LLC to supply photographs for same-sex weddings for the general public.

Response: Admit.

Request for Admission No. 18: Please admit or deny whether, according to you, if Chelsey Nelson Photography LLC supplies photograph editing services for opposite-sex weddings to the general public (as described in paragraph 166 of the Declaration of Chelsey Nelson in Support of Plaintiff’s Preliminary Injunction Motion), then Metro Ordinance § 92.05(A) requires Chelsey Nelson Photography LLC to supply photograph editing services for same-sex marriage to the

general public.

Response: Admit.

Request for Admission No. 19: Please admit or deny whether, according to you, if Chelsey Nelson Photography LLC supplies blogs for opposite-sex weddings to the general public as part of its paid photography services, then Metro Ordinance § 92.05(A) requires Chelsey Nelson Photography LLC to supply blogs for same-sex weddings to the general public as part of its paid photography services.

Response: Admit.

Request for Admission No. 20: Please admit or deny whether, according to you, if Chelsey Nelson Photography LLC responds within 24 hours to an opposite-sex couple's request for wedding photography, then Chelsey Nelson Photography LLC would violate Metro Ordinance § 92.05(A) if it did not respond to a same-sex couple's request for wedding photography within 24 hours solely because the requested photography would be for a same-sex wedding.

Objection/Response: Defendants object to this Request as improper because it seeks a legal conclusion based on hypothetical facts unrelated to the facts of this case.

Request for Admission No. 21: Please admit or deny whether, according to you, if Chelsey Nelson Photography LLC responds within 24 hours to an opposite-sex couple's request for wedding photography, then Chelsey Nelson Photography LLC would violate Metro Ordinance § 92.05(B) if it did not respond to a same-sex couple's request for wedding photography within 24 hours solely because the requested photography would be for a same-sex wedding.

Objection/Response: Defendants object to this Request as improper because it seeks a legal conclusion based on hypothetical facts unrelated to the facts of this case.

Request for Admission No. 22: Please admit or deny whether, according to you, Chelsey

Nelson Photography LLC violates Metro Ordinance § 92.05(A) if it asks prospective customers the following question: “Are you requesting wedding photography services for an opposite-sex wedding or a same-sex wedding?”

Objection/Response: Defendants object to this request as improper because it seeks a legal conclusion based on hypothetical facts unrelated to the facts of this case. Notwithstanding this objection and subject thereto, deny.

Request for Admission No. 23: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC violates Metro Ordinance § 92.05(B) if it asks prospective customers the following question: “Are you requesting wedding photography services for an opposite-sex wedding or a same-sex wedding?”

Objection/Response: Defendants object to this request as improper because it seeks a legal conclusion based on hypothetical facts unrelated to the facts of this case. Notwithstanding this objection and subject thereto, deny.

Request for Admission No. 24: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC violates Metro Ordinance § 92.05(A) by maintaining the policy described in § 2.3(e) of its operating agreement attached as Exhibit 6.

Objection/Response: Defendants object that the use of “maintaining” is too vague and ambiguous to allow Defendants to admit or deny this request. Defendants further object to the extent it seeks a legal conclusion based on hypothetical facts unrelated to the facts of this case. Subject to these objections, Defendants further respond that Metro Ordinance § 92.05(A) does not regulate the content of Chelsey Nelson Photography LLC’s operating agreement. Metro Ordinance § 92.05(A) prohibits Chelsey Nelson Photography LLC from denying an individual the full and equal enjoyment of Chelsey Nelson Photography LLC’s goods and services on the ground of race,

color, religion, national origin, disability, sexual orientation or gender identity.

Request for Admission No. 25: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC violates Metro Ordinance § 92.05(B) by maintaining the policy described in § 2.3(e) of its operating agreement attached as Exhibit 7.

Objection/Response: Defendants object that the use of “maintaining” is too vague and ambiguous to allow Defendants to admit or deny this request. Defendants further object to the extent it seeks a legal conclusion based on hypothetical facts unrelated to the facts of this case. Subject to these objections, Defendants further respond that Metro Ordinance § 92.05(B) does not regulate the content of Chelsey Nelson Photography LLC’s operating agreement. Metro Ordinance § 92.05(B) prohibits Chelsey Nelson Photography LLC from directly or indirectly publishing, circulating, issuing, displaying, mailing, or publishing a written, printed, oral or visual communication, notice, or advertisement, which indicates that Chelsey Nelson Photography LLC’s goods and services will be refused, withheld, or denied an individual on account of his/her race, color, religion, national origin, disability, sexual orientation or gender identity.

Request for Admission No. 26: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC violates Metro Ordinance § 92.05(A) if it maintains a policy and practice of photographing opposite-sex weddings, not same-sex weddings.

Objection/Response: Defendants object that the use of “maintains a policy” is too vague and ambiguous to allow Defendants to admit or deny that part of this request. Subject to that objection, Defendants further respond that Metro Ordinance § 92.05(A) does not regulate the content of Chelsey Nelson Photography LLC’s policies. Metro Ordinance § 92.05(A) prohibits Chelsey Nelson Photography LLC from denying an individual the full and equal enjoyment of Chelsey Nelson Photography LLC’s goods and services on the ground of race, color, religion,

national origin, disability, sexual orientation or gender identity. Notwithstanding these objections and subject thereto, admit with respect to “practice.”

Request for Admission No. 27: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC violates Metro Ordinance § 92.05(B) if it maintains a policy and practice of photographing opposite-sex weddings, not same-sex weddings.

Objection/Response: Defendants object that this request presents an incomplete hypothetical that makes it impossible to apply Metro Ordinance § 92.05(B). Defendants restate their general objection and citation to legal authority with respect to hypothetical requests for admission. Subject to these objections, Defendants further respond that Metro Ordinance § 92.05(B) prohibits Chelsey Nelson Photography LLC from directly or indirectly publishing, circulating, issuing, displaying, mailing, or publishing a written, printed, oral or visual communication, notice, or advertisement, which indicates that Chelsey Nelson Photography LLC’s goods and services will be refused, withheld, or denied an individual on account of his/her race, color, religion, national origin, disability, sexual orientation or gender identity.

Request for Admission No. 28: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC violates Metro Ordinance § 92.05(A) if it maintains a policy and practice of editing photographs of opposite-sex weddings, not same-sex weddings.

Objection/Response: Defendants object that the use of “maintains a policy” is too vague and ambiguous to allow Defendants to admit or deny that part of this request. Subject to that objection, Defendants further respond that Metro Ordinance § 92.05(A) does not regulate the content of Chelsey Nelson Photography LLC’s policies. Metro Ordinance § 92.05(A) prohibits Chelsey Nelson Photography LLC from denying an individual the full and equal enjoyment of Chelsey Nelson Photography LLC’s goods and services on the ground of race, color, religion,

national origin, disability, sexual orientation or gender identity. Notwithstanding this objection and subject thereto, admit with respect to “practice.”

Request for Admission No. 29: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC violates Metro Ordinance § 92.05(B) if it maintains a policy and practice of editing photographs of opposite-sex weddings, not same-sex weddings.

Objection/Response: Defendants object that this request presents an incomplete hypothetical that makes it impossible to apply Metro Ordinance § 92.05(B) and further that the term “policy” is vague and undefined. Defendants further object to the extent it seeks a legal conclusion based on hypothetical facts unrelated to the facts of this case. Subject to these objections, Defendants further respond that Metro Ordinance § 92.05(B) prohibits Chelsey Nelson Photography LLC from directly or indirectly publishing, circulating, issuing, displaying, mailing, or publishing a written, printed, oral or visual communication, notice, or advertisement, which indicates that Chelsey Nelson Photography LLC’s goods and services will be refused, withheld, or denied an individual on account of his/her race, color, religion, national origin, disability, sexual orientation or gender identity.

Request for Admission No. 30: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC violates Metro Ordinance § 92.05(A) if it maintains a policy and practice of writing blogs about opposite-sex weddings as a part of its paid photography services, not blogs about same-sex weddings.

Objection/Response: Defendants object to this request as improper hypothetical. *See*, General Objection and caselaw cited above. Notwithstanding this objection and subject thereto, admit with respect to practice. Defendants further object that the use of “maintains a policy” is too vague and ambiguous to allow Defendants to admit or deny that part of this request. Subject to

these objections, Defendants further respond that Metro Ordinance § 92.05(A) does not regulate the content of Chelsey Nelson Photography LLC's policies. Metro Ordinance § 92.05(A) prohibits Chelsey Nelson Photography LLC from denying an individual the full and equal enjoyment of Chelsey Nelson Photography LLC's goods and services on the ground of race, color, religion, national origin, disability, sexual orientation or gender identity.

Request for Admission No. 31: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC violates Metro Ordinance § 92.05(B) if it maintains a policy and practice of writing blogs about opposite-sex weddings as a part of its paid photography services, not blogs about same-sex weddings.

Objection/Response: Defendants object that this request presents an incomplete hypothetical that makes it impossible to apply Metro Ordinance § 92.05(B). Hypotheticals are not the proper subject of a request for admission. *See* also General Objection and caselaw above. Subject to these objections, Defendants further respond that Metro Ordinance § 92.05(B) prohibits Chelsey Nelson Photography LLC from directly or indirectly publishing, circulating, issuing, displaying, mailing, or publishing a written, printed, oral or visual communication, notice, or advertisement, which indicates that Chelsey Nelson Photography LLC's goods and services will be refused, withheld, or denied an individual on account of his/her race, color, religion, national origin, disability, sexual orientation or gender identity.

Request for Admission No. 32: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC would violate Metro Ordinance § 92.05(A) if it posted the statement attached as Exhibit 8 on its website.

Response: Deny.

Request for Admission No. 33: Please admit or deny whether, according to you, Chelsey

Nelson Photography LLC would violate Metro Ordinance § 92.05(A) if it posted the statement attached as Exhibit 9 on its website.

Response: Deny.

Request for Admission No. 34: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC would violate Metro Ordinance § 92.05(B) if it posted the statement attached as Exhibit 8 on its website.

Response: Admit with respect to that portion of Exhibit 8 which reads: “I also can’t photograph anything that conflicts with my religious conviction that marriage is a covenant relationship before God between one man and one woman (for example, I don’t photograph same-sex weddings or ceremonies celebrating an open marriage).” Deny with respect to the remainder of Exhibit 8.

Request for Admission No. 35: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC would violate Metro Ordinance § 92.05(B) if it posted the statement attached as Exhibit 9 on its website.

Response: Admit with respect to that portion of Exhibit 9 which reads: “I also can’t edit photographs that conflict with my religious convictions, including the conviction that marriage is a covenant relationship before God between one man and one woman (for example, I don’t edit same-sex weddings or ceremonies celebrating open marriage).” Deny with respect to the remainder of Exhibit 9.

Request for Admission No. 36: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC would violate Metro Ordinance § 92.05(A) if it posted the statement attached as Exhibit 8 on its social media sites.

Response: Deny.

Request for Admission No. 37: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC would violate Metro Ordinance § 92.05(A) if it posted the statement attached as Exhibit 9 on its social media sites.

Response: Deny.

Request for Admission No. 38: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC would violate Metro Ordinance § 92.05(A) if it made the statement attached as Exhibit 8 directly to a prospective customer.

Objection/Response: Defendants object as this is an improper hypothetical request for admission. *See* General Objections and case law cited above. Notwithstanding this objection and subject thereto, deny.

Request for Admission No. 39: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC would violate Metro Ordinance § 92.05(A) if it made the statement attached as Exhibit 9 directly to a prospective customer.

Objection/Response: Defendants object as this is an improper hypothetical request for admission. *See* General Objections and case law cited above. Notwithstanding this objection and subject thereto, deny.

Request for Admission No. 40: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC would violate Metro Ordinance § 92.05(B) if it posted the statement attached as Exhibit 8 on its website.

Objection/Response: Objection. This request is an exact duplicate of Request No. 34.

Request for Admission No. 41: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC would violate Metro Ordinance § 92.05(B) if it posted the statement attached as Exhibit 9 on its website.

Objection/Response: Objection. This request is an exact duplicate of Request No. 35.

Request for Admission No. 42: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC would violate Metro Ordinance § 92.05(B) if it posted the statement attached as Exhibit 8 on its social media sites.

Response: Admit with respect to that portion of Exhibit 8 which reads: “I also can’t photograph anything that conflicts with my religious conviction that marriage is a covenant relationship before God between one man and one woman (for example, I don’t photograph same-sex weddings or ceremonies celebrating an open marriage).” Deny with respect to the remainder of Exhibit 8.

Request for Admission No. 43: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC would violate Metro Ordinance § 92.05(B) if it posted the statement attached as Exhibit 9 on its social media sites.

Response: Admit with respect to that portion of Exhibit 9 which reads: “I also can’t edit photographs that conflict with my religious convictions, including the conviction that marriage is a covenant relationship before God between one man and one woman (for example, I don’t edit same-sex weddings or ceremonies celebrating open marriage).” Deny with respect to the remainder of Exhibit 9.

Request for Admission No. 44: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC would violate Metro Ordinance § 92.05(B) if it made the statement attached as Exhibit 8 directly to a prospective customer.

Objection/Response: Defendants object to this request for admission as an improper request based on a hypothetical. *See also* General Objection and caselaw cited above. Notwithstanding this objection and subject thereto, admit with respect to that portion of Exhibit 8

which reads: “I also can’t photograph anything that conflicts with my religious conviction that marriage is a covenant relationship before God between one man and one woman (for example, I don’t photograph same-sex weddings or ceremonies celebrating an open marriage).” Deny with respect to the remainder of Exhibit 8.

Request for Admission No. 45: Please admit or deny whether, according to you, Chelsey Nelson Photography LLC would violate Metro Ordinance § 92.05(B) if it made the statement attached as Exhibit 9 directly to a prospective customer.

Objection/Response: Defendants object to this request for admission as an improper request based on a hypothetical. *See also* General Objection and caselaw cited above. Notwithstanding this objection and subject thereto, admit with respect to that portion of Exhibit 9 which reads: “I also can’t edit photographs that conflict with my religious convictions, including the conviction that marriage is a covenant relationship before God between one man and one woman (for example, I don’t edit same-sex weddings or ceremonies celebrating open marriage).” Deny with respect to the remainder of Exhibit 9.

Request for Admission No. 46: Please admit or deny whether you have ever investigated Crystal Ludwick Photo for violating Metro Ordinance § 92.05(A) or § 92.05(B) by posting the statement contained in Exhibit 10.

Response: Deny.

Request for Admission No. 47: Please admit or deny whether you have ever investigated Pandora Productions for violating Metro Ordinance § 92.05(A) or § 92.05(B) by posting the statement contained in Exhibit 11.

Response: Deny.

Request for Admission No. 48: Please admit or deny whether the Commission published

the statement written by Dawn Wilson attached as Exhibit 12.

Response: Admit.

Request for Admission No. 49: Please admit or deny whether, according to you, Metro Ordinance § 92.05(C) applies to Chelsey Nelson Photography LLC if Chelsey Nelson Photography LLC is not a restaurant, hotel, motel, or supported directly or indirectly by government funds.

Objection/Response: Objection to the request as vague and ambiguous. Defendants object to this request for admission as an improper request based on a hypothetical. *See also* General Objection and caselaw cited above. Notwithstanding this objection and subject thereto, admit that Metro Ordinance § 92.05(C) does not apply to Chelsey Nelson Photography LLC.

Request for Admission No. 50: Please admit or deny whether there are multiple wedding photographers in Louisville who publicly indicate a willingness to create photographs for same-sex weddings.

Objection/Response: Objection to the request as irrelevant and as seeking information outside of Defendants' knowledge, custody, or control. Subject to these objections, Defendants do not contend that there are no wedding photographers in Louisville who are willing to photograph same-sex weddings.

Request for Admission No. 51: Please admit or deny whether there are multiple wedding photographers in Louisville who publicly indicate a willingness to write blogs for same-sex weddings as a paid service.

Objection/Response: Objection to the request as irrelevant, and not likely to lead to the discovery of admissible evidence. Subject to this objection, Defendants lack sufficient knowledge, information, or belief upon reasonable inquiry to admit or deny this request.

Request for Admission No. 52: Please admit or deny whether there are multiple

photography editors across the county who publicly indicate a willingness to edit photographs as a paid service for same-sex weddings.

Objection/Response: Objection to the request as irrelevant and not likely to lead to the discovery of admissible evidence. Subject to this objection, Defendants lack sufficient knowledge, information, or belief after reasonable inquiry to admit or deny this request.

Request for Admission No. 53: Please admit or deny whether there are multiple wedding photographers in Louisville who create photographs for same-sex weddings as a paid service for the general public.

Objection/Response: Objection to the request as irrelevant, not likely to lead to the discovery of admissible evidence, and as seeking information outside of Defendants' knowledge, custody, or control. Subject to these objections, Defendants do not contend that there are no wedding photographers in Louisville who are willing to photograph same-sex weddings.

Request for Admission No. 54: Please admit or deny whether there are multiple wedding photographers in Louisville who write blogs for same-sex weddings as a paid service for the general public.

Objection/Response: Objection to the request as irrelevant and not likely to lead to the discovery of admissible evidence. Subject to this objection, Defendants lack sufficient knowledge, information, or belief upon reasonable inquiry to admit or deny this request.

Request for Admission No. 55: Please admit or deny whether there are multiple photography editors across the country who edit photographs for same-sex weddings as a paid service for the general public.

Objection/Response: Objection to the request as irrelevant and not likely to lead to the discovery of admissible evidence. Subject to this objection, Defendants lack sufficient knowledge,

information, or belief after reasonable inquiry to admit or deny this request.

Request for Admission No. 56: Please admit or deny whether, according to you, a place of public accommodation supplying paid photography services to the general public violates Metro Ordinance Metro Ordinance § 92.05(A) if it provides the same photography services for opposite-sex and same-sex weddings.

Response: Deny.

Request for Admission No. 57: Please admit or deny whether, according to you, a place of public accommodation supplying paid photography editing services to the general public violates Metro Ordinance Metro Ordinance § 92.05(A) if it provides the same photography editing services for opposite-sex and same-sex weddings.

Response: Deny.

Request for Admission No. 58: Please admit or deny whether, according to you, a place of public accommodation supplying blogging services as part of its paid photography services to the general public violates Metro Ordinance Metro Ordinance § 92.05(A) if it provides the same blogging services for opposite-sex and same-sex weddings as part of its paid photography services.

Response: Deny.

Respectfully submitted,

MIKE O'CONNELL
JEFFERSON COUNTY ATTORNEY

/s/ Casey L. Hinkle
John F. Carroll
Jason D. Fowler
Assistant Jefferson County Attorneys
531 Court Place, Ste. 900
Louisville, Kentucky 40202
(502) 574-6321
john.carroll2@louisvilleky.gov
jason.fowler@louisvilleky.gov

David S. Kaplan
Casey L. Hinkle
KAPLAN JOHNSON ABATE & BIRD LLP
710 W. Main Street, 4th Floor
Louisville, KY 40202
(502)-416-1630
dkaplan@kaplanjohnsonlaw.com
chinkle@kaplanjohnsonlaw.com

Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on January 25, 2021, a copy of the foregoing was served by email on the following:

Jonathan A. Scruggs
Katherine L. Anderson
Bryan Neihart
ALLIANCE DEFENDING FREEDOM
Scottsdale, AZ 85260
(480) 444-0020
jscruggs@adflegal.org
kanderson@adflegal.org
bneihart@adflegal.org

David A. Cortman
ALLIANCE DEFENDING FREEDOM
1000 Hurricane Shoals Rd. NE
Ste. D-1100
Lawrenceville, GA 30043
(770) 339-0774
dcortman@adflegal.org

Joshua D. Hershberger
HERSHBERGER LAW OFFICE
P.O. Box 233
Hanover, IN 47243
(812) 274-0441
josh@hlo.legal

Counsel for Plaintiffs

/s/ Casey L. Hinkle
Counsel for Defendants

Exhibit 3

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION**

**CHELSEY NELSON PHOTOGRAPHY
LLC and CHELSEY NELSON,**

Plaintiffs,

v.

**LOUISVILLE/JEFFERSON COUNTY
METRO GOVERNMENT, et al.,**

Defendants.

Case No. 3:19-cv-851-BJB-CHL

AFFIDAVIT OF VERNÁ GOATLEY

Verná Goatley, after first being duly sworn, states as follows:

1. I am the Executive Director of the Louisville Metro Human Relations Commission (“HRC”).
2. I understand that as part of discovery in this litigation the Plaintiffs have requested that HRC produce case files (including complaints, reasonable cause determinations, settlement agreements, hearing transcripts, and other documents) related to HRC’s past enforcement of Louisville’s Fairness Ordinance in discrimination claims against employers, housing accommodations, and public accommodations. I submit this affidavit to describe restrictions and burdens associated with complying with Plaintiffs’ requests for production of these documents.
3. HRC’s case files are maintained in hard copy, paper format. There is no electronic copy of HRC’s case files. The hard copy, paper file is the only source of the complete file for each complaint investigated by HRC.

4. HRC investigators maintain the case files for cases they are actively investigating in their own offices. These files include the documents requested by Plaintiffs along with the investigator's case notes, documents obtained during the course of an investigation, and all other documents associated with HRC's investigation of the complaint.

5. The vast majority of complaints of discrimination received and/or investigated by HRC are resolved without any public hearing or trial.

6. Once an investigation has concluded, case files are temporarily maintained in a central file at HRC's offices before being sent to off-site archived storage, where they are kept for ten years.

7. If HRC needs to retrieve a file from archived storage, we must identify the case file by its unique case number and transmit the request to Louisville Metro's Archives Department. It typically takes 2-4 weeks to retrieve an archived file.

8. HRC does not maintain a separate file of complaints. Rather, complaints are contained within individual case files. In order to retrieve a particular complaint, HRC would need to request the retrieval of the entire case file from archived storage and manually review the file to find the complaint.

9. Louisville Metro Government has a contractual relationship with the federal Equal Employment Opportunity Commission ("EEOC"), pursuant to which HRC and EEOC work together to investigate allegations of employment discrimination in the Louisville Metro area. An example of a contract between Louisville Metro Government and EEOC is attached hereto as Exhibit A.

10. The contract with EEOC specifically requires Louisville Metro Government to comply with federal confidentiality and privacy laws. *See* Exhibit A, Sections H.1 and H.8. It is

my understanding that, in addition to specified statutory penalties, the funding received by Louisville Metro Government pursuant to its contract with EEOC would be threatened if HRC disclosed information in violation of these confidentiality and privacy obligations.

11. As set forth in the Worksharing Agreement that is part of the EEOC contract, HRC and EEOC regularly and freely share information regarding their investigation of complaints of employment discrimination. As such, information obtained from the EEOC is regularly mixed together with information obtained by HRC in HRC's case files.

12. HRC is prohibited from disclosing a significant portion of its case files relating to complaints of employment discrimination pursuant to the federal confidentiality and privacy laws identified in the EEOC contract and Louisville Metro's contractual obligations to EEOC.

13. Louisville Metro Government has a contractual relationship with the federal Department of Housing and Urban Development ("HUD"), pursuant to which HRC and HUD work together to investigate allegations of housing discrimination in the Louisville Metro area. An example of a contract between Louisville Metro Government and HUD is attached hereto as Exhibit B.

14. Pursuant to Section 26 of the HUD contract, HRC is prohibited from releasing information collected during the course of an investigation of housing discrimination while the complaint is open, except in limited circumstances that do not apply here. *See* Exhibit B, Section 26.

15. In the course of preparing this affidavit, I contacted my counterparts at HUD to ask whether they considered complaints of housing discrimination and investigative files subject to public disclosure. These HUD agents vehemently objected to public disclosure of files relating to housing discrimination complaints and indicated that they considered the files to be confidential.

16. HUD regularly audits HRC's compliance with the file maintenance provisions of the HUD contract. It is my understanding that the funding received by Louisville Metro Government pursuant to its contract with HUD would be threatened if HRC disclosed information in violation of its obligations under the HUD contract.

17. Louisville Metro Ordinance § 92.08(B)(7) authorizes HRC to "Publish or cause to be published conciliation agreements or enforcement agreements," but requires that "All other records and information shall be confidential except as reasonably necessary to conduct an investigation and proceeding." HRC strictly complies with this obligation by keeping its case files confidential except as necessary to conduct a public hearing regarding complaints of discrimination, which are very rare.

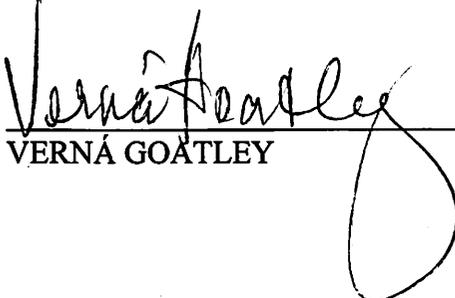
18. As such, HRC is prohibited from producing the vast majority of its case files pursuant to Louisville Metro Ordinance § 92.08(B)(7).

19. In the rare case where a public hearing occurred, the documents associated with that public hearing and "reasonably necessary to conduct" that hearing would be intermingled with documents that must be kept confidential under the Ordinance. Tedious and time-consuming manual review would be required to segregate confidential files from those which could be disclosed.

20. The confidentiality of discrimination complaints and HRC's investigative files serves important policy purposes that would be thwarted by the kind of sweeping disclosures requested by Plaintiffs in this litigation. The confidentiality of HRC's files makes some complainants more comfortable reporting discrimination. And the confidentiality of HRC's files up to the point of a public hearing has the effect of encouraging parties accused of discrimination to conciliate complaints against them, which often involves the respondent engaging in anti-

discrimination training or other remedial measures. As such, the confidentiality of HRC's files serves the important purpose of eliminating discrimination in the Louisville community.

Further affiant sayeth naught.


VERNA GOATLEY

COMMONWEALTH OF KENTUCKY)
) SS
COUNTY OF JEFFERSON)

Subscribed and sworn to before me by Verná Goatley this 5th day of March, 2020.

~~Notary Public, State at Large, KY~~

My Commission expires: ~~My commission expires Mar. 18, 2022~~


Notary Public

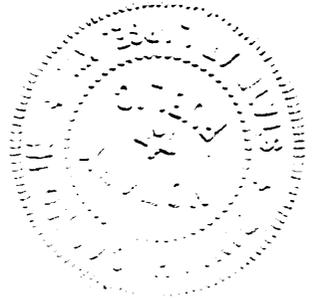


Exhibit A

AWARD/CONTRACT	1. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700)	RATING	PAGE 1	OF PAGES 21
2. CONTRACT (Proc. Incl. Ident.) NO. 45310018C0050	3. EFFECTIVE DATE 10/01/2017	4. REQUISITION/PURCHASE REQUEST/PROJECT NO. FP180046		
5. ISSUED BY EBOC OCFO ASD 131 M Street, N.E., 4th Floor Washington, DC, 20507, US	CODE 453100	6. ADMINISTERED BY (if other than item 5) EBOC Indianapolis District Office 101 West Ohio Street - Suite 1900 Indianapolis, IN, 46204-4203, US		CODE EB462

7. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) LOUISVILLE-JEFFERSON COUNTY METRO GOVERNMENT 611 W JEFFERSON ST STE A LOUISVILLE, KY, 402022743, US	8. DELIVERY <input type="checkbox"/> FOB ORIGIN <input checked="" type="checkbox"/> OTHER (See below)
9. DISCOUNT FOR PROMPT PAYMENT Net Days - 30	
10. SUBMIT INVOICES (4 copies unless otherwise specified) TO THE ADDRESS SHOWN IN ITEM See Schedule	

CODE LOC112110577	FACILITY CODE	11. SHIP TO/MARK FOR See Schedule
12. PAYMENT WILL BE MADE BY EBC Payment, Interior Business Center Attn: EBOC Invoice Processing Team Denver, CO, 80235, US		CODE EBCPAY
13. AUTHORITY FOR USING OTHER THAN FULL AND OPEN COMPETITION: <input checked="" type="checkbox"/> 10 U.S.C. 2304(c) () <input type="checkbox"/> 41 U.S.C. 253(c) ()		14. ACCOUNTING AND APPROPRIATION DATA See Schedule

15A. ITEM NO.	15B. SUPPLIES/SERVICES	15C. QUANTITY	15D. UNIT	15E. UNIT PRICE	15F. AMOUNT
	FY18 FEPA - LOUISVILLE				
15G. TOTAL AMOUNT OF CONTRACT					\$ 50,720

16. TABLE OF CONTENTS				
(X)	SEC.	DESCRIPTION	PAGE(S)	
PART I - THE SCHEDULE				
	A	SOLICITATION/CONTRACT FORM	2	
	B	SUPPLIES OR SERVICES AND PRICES/COSTS	See Page 2	
	C	DESCRIPTION/SPECS./WORK STATEMENT		
	D	PACKAGING AND MARKING		
	E	INSPECTION AND ACCEPTANCE		
	F	DELIVERIES OR PERFORMANCE		
	G	CONTRACT ADMINISTRATION DATA		
	H	SPECIAL CONTRACT REQUIREMENTS		
PART II - CONTRACT CLAUSES				
	I	CONTRACT CLAUSES	2	
PART III - LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACH.				
	J	LIST OF ATTACHMENTS	See Page 2	
PART IV - REPRESENTATIONS AND INSTRUCTIONS				
	K	REPRESENTATIONS, CERTIFICATIONS AND OTHER STATEMENTS OF OFFERORS		
	L	INSTRS., CONDS., AND NOTICES TO OFFERORS		
	M	EVALUATION FACTORS FOR AWARD		

CONTRACTING OFFICER WILL COMPLETE ITEM 17 OR 18 AS APPLICABLE

17. <input type="checkbox"/> CONTRACTOR'S NEGOTIATED AGREEMENT (Contractor is required to sign this document and return _____ copies to issuing office.) Contractor agrees to furnish and deliver all items or perform all the services set forth or otherwise identified above and on any continuation sheets for the consideration stated herein. The rights and obligations of the parties to this contract shall be subject to and governed by the following documents: (a) this award/contract, (b) the solicitation, if any, and (c) such provisions, representations, certifications, and specifications, as are attached or incorporated by reference herein. (Attachments are listed herein.)	18. <input checked="" type="checkbox"/> SEALED-BID AWARD (Contractor is not required to sign this document.) Your bid on Solicitation Number _____ including the additions or changes made by you which additions or changes are set forth in full above, is hereby accepted as to the terms listed above and on any continuation sheets. This award consummates the contract which consists of the following documents: (a) the Government's solicitation and your bid, and (b) this award/contract. No further contractual document is necessary. (Block 18 should be checked only when awarding a sealed-bid contract.)
--	---

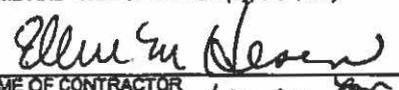
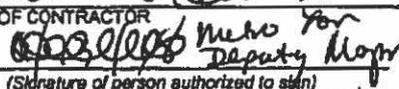
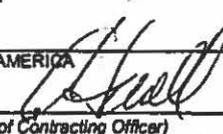
19A. NAME AND TITLE OF SIGNER (Type or Print) 	20A. NAME OF CONTRACTING OFFICER Terrell, Anthony T
19B. NAME OF CONTRACTOR BY  (Signature of person authorized to sign)	20B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)
19C. DATE SIGNED 4/13/18	20C. DATE SIGNED 06/14/18

TABLE OF CONTENTS:

Listing of Incorporated Purchase Requisitions.....3
Section B - Supplies or Services and Prices/Costs.....3
Section C - Description/Specifications/Work Statement.....7
Section D - Packaging and Marking.....9
Section E - Inspection and Acceptance Terms.....9
Section F - Delivery or Performance.....9
Section G - Contract Administration Data.....11
Section H - Special Contract Requirements.....14
Section I - Contract Clauses.....18
Section J - List of Documents, Exhibits, and other Attachments.....21

Listing of Incorporated Purchase Requisitions

Incorporated Purchase Requisition Numbers:

FP180046

Section B - Supplies or Services and Prices/Costs

Item Number	Base Item Number	Supplies/Services	Quantity	Unit
0001		TITLE VII, ADEA, ADA, AND GINA CHARGE RESOLUTIONS: Processing and Resolving, Title VII, ADEA, ADA and GINA Charges. Each Charge must have been filed since October 1, 2013, (or since October 1, 2012, for each charge where a determination o	68	
Contract Type:Firm Fixed Price				
			Unit Price	\$700.00
			Extended Price	\$47,600.00
Description:				
Purchase Requisitions		FP180046	Funded Amount	\$47,600.00

Item Number	Base Item Number	Supplies/Services	Quantity	Unit
0002		TITLE VII, ADEA, ADA, AND GINA INTAKE SERVICES: Provide Intake Services for charges, with affidavits, filed during the period October 1, 2017 to September 30, 2018 at a price of \$70 per charge. Period of Performance: 10/01/2017-09/30/20	6	
Contract Type:Firm Fixed Price				
			Unit Price	\$70.00
			Extended Price	\$420.00

Description:	
Purchase Requisitions	FP180046
	Funded Amount
	\$420.00

Item Number	Base Item Number	Supplies/Services	Quantity	Unit
0003		FY 2018 EEOC/FEPA TRAINING: Training to facilitate successful completion of contract, including EEOC-Sponsored Annual Training. Period of Performance: 10/01/2017 – 09/30/2018.	1	
Contract Type:Firm Fixed Price				
			Unit Price	\$1,700.00
			Extended Price	\$1,700.00
Description:				
Purchase Requisitions	FP180046		Funded Amount	\$1,700.00

Item Number	Base Item Number	Supplies/Services	Quantity	Unit
0004		FY 2018 FEPA ENGAGEMENT FUNDING: Submission of an acceptable written proposal detailing a joint EEOC/FEPA enforcement, outreach, or training activity in support of a Strategic Enforcement Plan or District Complement plan prior to 9/30/2018	1	
Contract Type:Firm Fixed Price				
			Unit Price	\$1,000.00
			Extended Price	\$1,000.00

Description:	
Purchase Requisitions	FP180046
	Funded Amount
	\$1,000.00

Item Number	Base Item Number	Supplies/Services
0005		OPTION YEAR 1 - TITLE VII, ADEA, ADA, AND GINA CHARGE RESOLUTIONS: Processing and Resolving, Title VII, ADEA, ADA and GINA Charges. Each Charge must have been filed since October 1, 2014, (or since October 1, 2013, for each charge where a
Description:		
Purchase Requisitions		

Item Number	Base Item Number	Supplies/Services
0006		OPTION YEAR 1 - TITLE VII, ADEA, ADA, AND GINA INTAKE SERVICES: Provide Intake Services for charges, with affidavits, filed during the period October 1, 2018 to September 30, 2019 at a price of \$70 per charge. Period of Performance: 10/01
Description:		
Purchase Requisitions		

Item Number	Base Item Number	Supplies/Services	
0007		OPTION YEAR 1 - FY 2019 EEOC/FEPA TRAINING: Training to facilitate successful completion of contract, including EEOC-Sponsored Annual Training. Period of Performance: 10/01/2018 – 09/30/2019.	
Description:			
Purchase Requisitions			

Item Number	Base Item Number	Supplies/Services	
0008		OPTION YEAR 2 - TITLE VII, ADEA, ADA, AND GINA CHARGE RESOLUTIONS: Processing and Resolving, Title VII, ADEA, ADA and GINA Charges. Each Charge must have been filed since October 1, 2015, (or since October 1, 2014, for each charge where a	
Description:			
Purchase Requisitions			

Item Number	Base Item Number	Supplies/Services	
0009		OPTION YEAR 2 - TITLE VII, ADEA, ADA, AND GINA INTAKE SERVICES: Provide Intake Services for charges, with affidavits, filed during the period October 1, 2019 to September 30, 2020 at a price of \$70 per charge. Period of Performance: 10/01	
Description:			
Purchase Requisitions			

Item Number	Base Item Number	Supplies/Services	
0010		OPTION YEAR 2 - FY 2020 EEOC/FEPA TRAINING: Training to facilitate successful completion of contract, including EEOC- Sponsored Annual Training. Period of Performance: 10/01/2019 – 09/30/2020.	
Description:			
Purchase Requisitions			

Clauses incorporated by reference

None

Clauses incorporated by full text

None

Section C - Description/Specifications/Work Statement

Clauses incorporated by reference

None

Clauses incorporated by full text

SECTION C SECTION C - DESCRIPTION/SPECIFICATIONS/WORK STATEMENT

C.1 Background

A. The Equal Employment Opportunity Commission (EEOC) is authorized by statute to use the services of State and Local Fair Employment Practices Agencies (FEPAs) to assist it in meeting its statutory mandate to enforce Title VII of the Civil Rights Act of 1964, as amended (Title VII); the Age Discrimination in Employment Act (ADEA) of 1967, as amended; the Americans with Disabilities Act (ADA) of 1990, as amended; and, the Genetic Information Nondiscrimination Act of 2008. The EEOC also recognizes the need to ensure the employment rights of individuals granted by Federal, State, and Local anti-discrimination laws.

B. As part of the Congressional mandate, the EEOC is required to establish an integrated system for a more expeditious resolution of employment discrimination charges. The EEOC has entered into a partnership with the FEPA, herein referred to as the Contractor, for continuous development and enhancement of this system.

C.2 Scope of Work

A. The Contractor agrees to work with the EEOC in the maintenance and enhancement of a national, integrated employment discrimination law enforcement and charge resolution system by accomplishing various objectives that include, but are not limited to, the following:

1. Implementation by the Contractor of procedures that provide for professional intake of all charges the FEPA initially receives, prompt notification to respondents, resolution of charges on a current basis, determinations supported by evidence, and resolutions with remedies;
2. The training of Contractor personnel in charge processing procedures compatible with those of the EEOC, on an as needed basis;
3. Use by the Contractor of an employment discrimination charge form that, within statutory limitations, is acceptable to the EEOC and the Contractor;
4. Use by the Contractor of processing terminology (such as common language pertaining to types of resolutions) that is the same as or compatible with that used by the EEOC;
5. The development and maintenance of a system to ensure that the EEOC and the Contractor maintain compatible procedural and substantive standards;
6. The identification by the Contractor and the EEOC of legislative changes that may be appropriate for the establishment of integrated and efficient charge processing systems; and
7. Use of an effective case management system, and as applicable, adherence to a Charge Resolution Plan that:
 - a. enhances quality and efficiency in the Contractor's charge resolution systems;
 - b. establishes annual charge resolution objectives and provides mechanisms for fixing accountability and measuring progress toward those objectives;
 - c. develops procedures and processes designed to reduce inventories of dual-filed charges that will ensure maintenance of a charge inventory of less than 365 days; and
 - d. ensures that quality standards are met and are commensurate with the EEOC's policies and statutory responsibilities.

B. When an agreement on the above requirements is reached between the Contractor and the EEOC, they must be included as part of the executed Worksharing Agreement. The effective date of the Worksharing Agreement will run concurrently with the effective date of this contract. Upon execution, the Worksharing Agreement dated 10/11/2017, is incorporated by reference into this contract.

C. The Contractor and EEOC, as a condition to the maintenance of this contract, shall approve the Worksharing Agreement. Once the Contractor or the EEOC has been designated to process the charge, only the designated party will process the charge. The other party shall refrain from processing the charge pending completion by the initial processor to preclude duplication of effort.

D. The Contractor shall:

1. Implement in partnership with the EEOC, a system that permits each party to perform various functions

on behalf of the other, for example, accepting charges for each other, within the statutory limitations; and

2. Commit itself to maintenance of effort. Should the Contractor or the governmental body that provides its funds (a) reduce the Contractor's resources in anticipation of or as a result of the EEOC contract funds, (b) place restrictions on the use of its funds, or (c) revise the Contractor's operating procedures or regulations that impact on its ability to perform under its contract, the EEOC may consider it to be a material breach of this contract and may, among other things, reduce its funding of this contract or require the return of all or a portion of the funds provided by the EEOC under this contract.

E. It is understood and expressly agreed to by both parties to this contract that all provisions of the EEOC's Contracting Principles for State and Local FEPA for Fiscal Year 2018 are incorporated in their entirety into this contract.

Section D - Packaging and Marking

Clauses incorporated by reference

None

Clauses incorporated by full text

None

Section E - Inspection and Acceptance Terms

None

Clauses incorporated by reference

None

Clauses incorporated by full text

None

Section F - Delivery or Performance

Line Item: 0001

Period Of Performance Start Date	Period Of Performance End Date	Period Of Performance Address
10/1/17	9/30/18	EEC Location 131 M Street, NE Washington DC US 20507

Line Item: 0002

Period Of Performance Start Date	Period Of Performance End Date	Period Of Performance Address
10/1/17	9/30/18	EEC Location 131 M Street, NE

		Washington DC US 20507
--	--	------------------------

Line Item: 0003

Period Of Performance Start Date	Period Of Performance End Date	Period Of Performance Address
10/1/17	9/30/18	EEC Location 131 M Street, NE Washington DC US 20507

Line Item: 0004

Period Of Performance Start Date	Period Of Performance End Date	Period Of Performance Address
10/1/17	9/30/18	EEC Location 131 M Street, NE Washington DC US 20507

Clauses incorporated by reference

None

Clauses incorporated by full text

SECTION F

F.1 PERIOD OF PERFORMANCE

A. The period of performance under this contract shall be from **October 1, 2017 through September 30, 2018**, with two one-year options to extend the term of the contract. (See Section I, 52.217-9 "Option to Extend the Term of the Contract").

B. The period of performance for Option Period I and Option Period II are as follows:

Option Period I – October 1, 2018 through September 30, 2019

Option Period II – October 1, 2019 through September 30, 2020

F.2 TIME OF DELIVERY/DELIVERABLES

A. When the Contractor enters a charge in the EEOC computerized Integrated Mission System (IMS) or any successor system the following procedures shall be used. The Contractor will:

1. Make accurate and timely charge data entries in the IMS or successor system, and the Contractor is responsible for ensuring that all appropriate charge information is available for extraction by the collection manager in a timely manner. Charge resolutions submitted for contract credit review will not be accepted for payment if it is determined that any required data entry has not been made by the FEPA. A determination not to award contract credit made may be reversed under the procedures set forth in Section III.B.5.a. of the **FY 2018 Contracting Principles**.

2. Enter basic charge data into the IMS or successor system within five business days of the Contractor's receipt of each charge as set forth in Section III.B.5.a of the **FY 2018 Contracting Principles** in order to be eligible to receive contract credit.

3. Provide EEOC with a list of final actions within a time frame agreed upon by the COR and the Contractor, but usually no later than 30 calendar days after the resolution of each charge to meet the requirement of Section III. B.2 of the **FY 2018 Contracting Principles**. The Contractor must ensure the timely and accurate entry of data into the IMS or successor

system. The COR will generate charge data lists and reports through the IMS or successor system to verify that this requirement is being met throughout the term of this contract.

4. Enter all charge data for contract credit submissions through each quarter not later than the 8th calendar day of the month following each quarter.

B. When the Contractor is not on the IMS or successor system, the following procedures shall be used. The Contractor will:

1. Submit monthly contract production reports to the COR for review. The monthly reports shall consist of EEOC Forms 322 - FEPA Performance Report and 472 - FEPA Charge List. Upon award of the contract, the monthly reports must be received by the COR not later than the 8th calendar day of the month following each month.

2. Furnish to the COR, separate written reports as may be expressly required.

3. Provide the EEOC with a list of charge resolutions with respect to dual-filed charges within a time frame agreed upon with the COR, but no later than thirty (30) calendar days after the charge resolution dates. The lists of charge resolutions will be provided on EEOC Form 472. After receipt of the lists, and when requested by the COR, the Contractor will forward all charge file information, or a copy of such information, within five business days of the requests. The COR may extend or reasonably alter the five-day time frame as deemed necessary and appropriate (For non-certified Contractors, file information must be submitted within five business days of submission of the Form 472/resolution listing unless the time frame is extended or otherwise modified by the COR). Failure to timely submit reports and charge file information will result in the denial of contract credit for the affected resolutions.

4. The Contractor must make timely and accurate submission to the EEOC of EEOC Form 322 and EEOC Form 472. All reports covering the first three quarters of the FY 2018 contract must be received by the EEOC prior to September 30, 2018.

C. Proposal for FY 2018 FEPA Engagement

The Contractor must submit to the Contracting Officer Representative prior to September 30, 2018, a written proposal detailing a joint enforcement, joint outreach or joint training activity with the EEOC District Office which (1) identifies and supports a specific priority contained in either EEOC's Strategic Enforcement Plan or the District Office's Complement Plan, (2) contains sufficient details and a certification that the FEPA is willing and able to perform the actions it proposed to perform, and (3) which the EEOC finds to be feasible and acceptable.

Section G - Contract Administration Data

Total Obligated Amount:\$50,720.00

The Obligated Amount is broken down by line of accounting as follows:

LOA:2018 0100B1818D 10SLPPS FPSLP NA 251010 999996 9999 SLCR NA NA NA
Amount:\$47,600.00
Clin 0001:\$47,600.00
LOA:2018 0100B1818D 10SLPPS FPSLP NA 251010 999996 9999 SLINTK NA NA NA
Amount:\$420.00
Clin 0002:\$420.00
LOA:2018 0100B1818D 10SLPPS FPSLP NA 251010 999996 9999 SLTRNG NA NA NA

Amount:\$1,700.00
Clin 0003:\$1,700.00
LOA:2018 0100B1818D 10SLPPS FPSLP NA 251010 999996 9999 SLJOUT NA NA NA
Amount:\$1,000.00
Clin 0004:\$1,000.00

Requesting Office Address
EEOC Office of Field Programs - State and Local 131 M Street, N.E., 5th Floor Washington DC 20507 Phone: Fax: Contact Details: Yao, James JAMES.YAO@EEOC.GOV 202-663-4896

COTR Office Address
EEOC Indianapolis District Office 101 West Ohio Street - Suite 1900 Indianapolis IN 46204-4203 Phone: 317-226-6140 Fax: 317-226-7953 Contact Details:

Issuing Office Address
EEOC OCFO ASD 131 M Street, N.E., 4th Floor Washington DC 20507 Phone: Fax: 202-663-4178 Contact Details: Terrell, Anthony T anthony.terrell@eeoc.gov

Submit Invoices To Address
EEC Invoice, Interior Business Center Link: https://www.ipp.gov/ Denver CO 80235 Phone: Fax: Contact Details:

Administration Office Address
EEOC Indianapolis District Office 101 West Ohio Street - Suite 1900 Indianapolis IN 46204-4203 Phone: 317-226-6140 Fax: 317-226-7953 Contact Details:

Remit To Office Address
EEC Payment, Interior Business Center

Attn: EEOC Invoice Processing Team
 7301 W. Mansfield Avenue
 Mail Stop D 2770
 Denver CO 80235
 Phone:
 Contact Details:

Fax:

Clauses incorporated by reference

None

Clauses incorporated by full text

SECTION G

G.1 CONTRACT ADMINISTRATION DATA

- A. Contracting Officer: See Block 20A of SF 26
- B. Inspection and Acceptance: See Section E of the Schedule
- C. Accounting and Appropriation Data: See Accounting Line, Accounting and Appropriations Data
- D. Contracting Officer's Representative:
 Jeremy Sells
 EEOC Indianapolis District Office
 Office Telephone: (317) 226-7221
 Email: jeremy.sells@eEOC.gov
- E. Paying Office: See Block 12 of SF-26
- F. Program Director:
 Michael J. Dougherty, Director
 State and Local Programs
 Office of Field Programs
 131 M Street, N.E., Fifth Floor
 Washington, DC 20507
 Telephone: (202) 663-4801

G.2 CONTRACTING OFFICER

The Contracting Officer shall be the only individual authorized to modify any of the terms of the contract or redirect the efforts of the Contractor.

G.3 CONTRACTING OFFICER REPRESENTATIVE

The EEOC State and Local Coordinator/Program Manager for the District Office will serve as the Contracting Officer's Representative (COR) during the performance of this contract. The name of the authorized COR will appear in Section G.1 Contract Administration Data. The COR shall monitor the contract for the Program Director and provide the Contractor with technical guidance. Technical guidance shall mean providing details or interpretation of the scope of work and the

requirements set forth in the contract. It is intended that any details, interpretations or suggestions furnished shall not constitute any changes in terms and conditions of the contract. The COR has the responsibility for monitoring and evaluating all phases of the Contractor's performance in order to determine compliance with the technical requirements of the contract. The COR is responsible for providing oversight to the District Office District Resource Manager (DRM) for the preparation of the official receiving report to record acceptance in EEOC's financial system procurement module. No payment may be made until a properly completed receiving report is transmitted to the payment office.

G.4 INVOICING INSTRUCTIONS

A. The Contractor shall submit an original invoice(s) and any other information required to make payments to the following address:

Interior Business Center
C/O Equal Employment Opportunity Commission
IBC Vendor Payments
Attention: EEOC Invoice Processing Team
7301 W. Mansfield Avenue
Mail Stop D 2770
Denver, CO 80235

B. The contractor may submit an invoice electronically to the following e-mail address:

eeoc_vendor_payments_IBCDenver@IBC.DOI.Gov

C. A copy of the invoice must be sent to the designated COR.

G.5 PAYMENT SCHEDULE

Upon contract execution, an advance payment invoice not to exceed fifty (50) percent of the number of charge resolutions stated in the contract, submitted by the Contractor. Subsequent payments will be based on the Contractor's actual production of accepted charge resolutions. No payment will be made until the contract and subsequent modifications, if any, are returned, properly executed, to the Equal Employment Opportunity Commission, Acquisition Services Division, 131 M Street, N.E., 4th Floor, Washington, D.C. 20507.

G.6 CONTRACT ADJUSTMENTS FOR TRAINING

The EEOC may adjust the contract for training when the following conditions exist:

A. If the Contractor has not invoiced for training completed within a thirty (30) calendar day period, the Contracting Officer may unilaterally deobligate the amount of funds the government determines to be in excess of the amount needed to pay for training.

B. In the event the government determines before training is to be conducted that the amount of funds provided under the contract should be reduced or increased as a result of a revised estimation of the amount of funds needed to pay for training, the Contracting Officer may unilaterally modify the contract to provide funds for training in accordance with the government's revised estimate.

Section H - Special Contract Requirements

Clauses incorporated by reference

None

Clauses incorporated by full text

SECTION H

H.1 TITLE VII, ADA AND GINA CONFIDENTIALITY PROVISIONS

A. The Contractor agrees to abide by the confidentiality provisions of Title VII, ADA and the GINA as those provisions are interpreted by the EEOC. The Contractor shall not make public in any manner whatever the following information if said information was obtained from the EEOC:

1. The existence of a Title VII, ADA and/or GINA charge filed by a particular charging party against a particular respondent, unless a Title VII, ADA and/or GINA lawsuit has been instituted,

2. Information obtained by the EEOC pursuant to its investigation authority (Section 709(a)), unless a Title VII, ADA and/or GINA lawsuit involving that information has been instituted and,

3. Things said or done by the parties (i.e. charging parties and respondents, and the EEOC) during the settlement efforts or conciliation of a charge, unless a Title VII, ADA and/or GINA lawsuit has been instituted.

4. Pursuant to Paragraph 4(b) of the EEOC Memorandum of Understanding with the Office of Federal Contract Compliance Programs (OFCCP), information compiled by OFCCP and provided to the EEOC may be provided to an FEP Agency (i.e. the Contractor) upon its request. It is further understood and agreed that the Contractor will not disclose to the public any such information without first requesting and obtaining the express written approval of the Director of OFCCP.

B. EEOC-furnished EEO Reports may be made public by the Contractor during a hearing conducted by the Contractor that involves the above information.

H.2 CONTRACT ADJUSTMENTS

A. The COR will review production on a quarterly basis. The Contractor is expected to produce approximately 1/4 of the total charge resolutions required under the contract each quarter. If the annualized linear production of the Contractor's actual production at anytime indicates that the Contractor is producing at a rate that would not meet the number of charge resolutions required under the contract, the government may unilaterally modify the contract price and the total number of charge resolutions (downward adjustments) to reflect the annualized charge production projection.

B. The government has the unilateral option to increase the number of contracted charge resolutions and/or intake services (upward adjustments), based on the actual or projected production of charge resolutions and intake services.

H.3 RIGHTS IN DATA

The Government shall have access to all case files created and developed in the performance of this contract at all reasonable times when they are in the possession of the Contractor. The Contractor shall have access to such case files at all reasonable times while they are in the possession of the EEOC. No case files, reports, studies, findings or other information collected or created in the performance of this contract shall be released by the Contractor except as authorized in accordance with the Confidentiality Provisions set forth at paragraph H.1 above.

H.4 INDEMNIFICATION

The Contractor shall indemnify the Government, its officers, agents, employees and assignees, for all claims of any nature arising out of the performance of this contract, including costs and expenses resulting from such claims.

H.5 ACKNOWLEDGMENT OF GOVERNMENT

The Contractor agrees that in the communication or release of all information concerning work performed or work to be performed under this contract, such communication or release, written or oral, shall be jointly approved by the COR and the Contractor, and shall include a statement indicating that the project or effort is co-sponsored by the EEOC.

H.6 DIRECT AND INDIRECT COSTS

This is a fixed price contract. No additional funds will be added for direct or indirect costs incurred by the Contractor in the performance of services that exceed the unit price(s) indicated in the pricing schedule.

H.7 NOTICE OF ADVERSE COURT ACTION

The Contractor will provide written notification to the Program Director of any adverse local, state, or federal court decision issued against the Contractor relevant to the Equal Opportunity clause in Section I of this contract. Such notice shall be provided within ten (10) business days of the court's decision.

H.8 PRIVACY ACT

This contract requires the collection, creation and maintenance of records that are subject to the Privacy Act of 1974. See the Privacy Act Notification Clause and the Privacy Act Clause incorporated into this contract in Section I. The records compiled, created and maintained pursuant to this contract are included in the EEOC's Privacy Act System EEOC-3, "Title VII, Americans with Disabilities Act, and Genetic Information Nondiscrimination Act Discrimination Case Files," or Privacy Act System EEOC-1, "Age and Equal Pay Discrimination Case Files." The contents and operation of these systems are described in Federal Register Notice, "Privacy Act of 1974; Publication of Notices of Systems of Records and Proposed New Systems of Records", dated November 17, 2016, and included in Section J of this contract. The EEOC's Privacy Act regulations, at 29 CFR, Part 1611 are hereby incorporated by reference.

H.9 CHARGE DATA SYSTEM - DATABASE

The Contractor is expected to reconcile its database with the EEOC's database as necessary and appropriate. If significant discrepancies occur and cannot be eliminated through a routine reconciliation, the EEOC may request a hard inventory of the Contractor's charge inventory. Such hard inventory must be conducted in accordance with guidelines prescribed by the EEOC.

H.10 FEPA ENGAGEMENT FUNDING

To be eligible to invoice for the funding, in the amount of \$1,000, the Contractor must submit to the Contracting Officer Representative prior to September 30, 2018, a written proposal detailing a joint enforcement, joint outreach or joint training activity with the EEOC District Office which (1) identifies and supports a specific priority contained in either EEOC's Strategic Enforcement Plan or the District Office's Complement Plan, (2) contains sufficient details and a certification that the FEPA is willing and able to perform the actions it proposes to perform, and (3) which the EEOC finds to be feasible and acceptable.

H.11 Information Security Related to Use of EEOC's Integrated Mission System (IMS) OR SUCCESSOR SYSTEM

FEPA Directors are responsible for authorizing IMS or successor system account creation and determining the appropriate level of system access to provide each user by employing the concept of least privilege - providing the minimal level of access required to perform their job functions. When determining the appropriate level of access for a user, the FEPA Director must consider the status of the user's government background investigation (whether completed or in-process). Depending on the business need and sensitivity of the data, it may be appropriate to limit/restrict a user's system access until the background investigation is completed.

FEPA Directors must ensure that, upon a user's separation, IMS or successor system access is removed and system

accounts are disabled as of the close-of-business on the employee's separation date.

Inactive accounts (accounts that have not been logged in within 30 days) will be disabled by the EEOC.

A certification of system accounts by each FEPA Director must be performed annually. During this review a list of active system users will be forwarded to the FEPA Director for their review. Each FEPA Director or their designee must review the account listing to ensure that all individuals listed for each system have the need and the proper level of access for each system. Any modifications or deletions must be forwarded by the Director to EEOC for action and the Director must then certify the accuracy of the report. This process has been automated to be accessed, reviewed, and certified from within the IMS system or successor system.

Users must access IMS or successor system from workstations that are compliant with the security and privacy policy requirements of their state/local government oversight bodies. At a minimum, workstations must include anti-virus protection that is updated on a regular basis.

FEPA Directors are responsible for ensuring that their employees, contractors, contingent workers, and all other users of EEOC's IMS or successor system receive Information Security Awareness Training on an annual basis.

H12. Custom Clause - Electronic Invoicing and Payment Requirements - Invoice Processing Platform (IPP) October 2017

Payment requests must be submitted electronically through the U. S. Department of the Treasury's Invoice Processing Platform System (IPP).

"Payment request" means any request for invoice payment from this contract by the Contractor. To constitute a proper invoice, the payment request must comply with the requirements identified in the applicable Prompt Payment clause included in the contract. The IPP website address is: <https://www.ipp.gov>.

Prior to, or concurrent with, submitting an invoice for payment to IPP, a copy of the invoice must be submitted to the designated COR.

Additional supporting documentation MAY BE REQUESTED at the discretion of the Contracting Officer's Representative (COR). The contractor agrees to include the following information on each invoice:

1. Name and address of the Contractor
2. Invoice number and date
3. Associated obligating document number, i.e., Contract, Delivery/Task or Purchase Order number, etc. and date
4. Period of performance for the billing cycle
5. Payment terms
6. Name, title, phone number, e-mail address, and mailing address of person to be notified in the event of a defective invoice
7. Other substantiating documentation or information as required by the Contract, Delivery/Task or Purchase Order.

8. For Firm Fixed Price Contract Line Item Numbers (CLINs):

Invoices will be submitted upon successful delivery and Government acceptance of each deliverable.

At a minimum, the invoice will contain the following information for each CLIN:

- a. CLIN/Item number of deliverable
- b. Description of deliverable
- c. Price of deliverable
- d. Qty of deliverable

9. Invoice Payment

- a) Payments under this contract will be made 30 calendar days after the date of actual receipt of proper invoice in the office designated to receive the original invoice or final acceptance of the goods or services, whichever is later.
- b) All payments will be made via electronic funds transfer (EFT). The date of payment by wire transfer through the Treasury Financial Communications System shall be considered to be the day payment is made.

10 Final Invoice - Within sixty (60) calendar days of product acceptance and/or completion of services for each awarded Contract, Delivery/Task or Purchase Order:

- a) The contractor shall submit a final invoice designated as such by a clear statement of "FINAL INVOICE" on the face of the invoice document.

The Contractor must use the IPP website to register access and use IPP for submitting requests for payment. The Contractor Government Business Point of Contact (as listed in SAM) will receive enrollment instructions via email from the Federal Reserve prior to the contract award date, but no more than 3 - 5 business days of the contract award date.

Contractor assistance with enrollment can be obtained by contacting the IPP Production Helpdesk via email IPPCustomerSupport@fiscal.treasury.gov or phone (866) 973-3131.

If the Contractor is unable to comply with the requirement to use IPP for submitting invoices for payment, the Contractor must submit a waiver request in writing to the Contracting Officer with its proposal or quotation.

(End of Custom Clause)

Section I - Contract Clauses

Clauses incorporated by reference

Article Number	Reference Text
52.202-1	52.202-1 Definitions (NOV 2013)
52.203-5	52.203-5 Covenant Against Contingent Fees (MAY 2014)
52.203-6	52.203-6 Restrictions on Subcontractor Sales to the Government (SEPT 2006)

52.203-7	52.203-7 Anti-Kickback Procedures (MAY 2014)
52.203-17	52.203-17 Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights (APR 2014)
52.204-19	52.204-19 Incorporation by Reference of Representations and Certifications (DEC 2014)
52.222-17	52.222-17 Nondisplacement of Qualified Workers (MAY 2014)
52.222-50	52.222-50 Combating Trafficking in Persons (MAR 2015)
52.223-18	52.223-18 Encouraging Contractor Policy to Ban Text Messaging While Driving (AUG 2011)
52.225-13	52.225-13 Restrictions on Certain Foreign Purchases (JUNE 2008)
52.232-1	52.232-1 Payments (APR 1984)
52.232-39	52.232-39 Unenforceability of Unauthorized Obligations (JUN 2013)
52.233-3	52.233-3 Protest after Award (AUG 1996)
52.233-4	52.233-4 Applicable Law for Breach of Contract Claim (OCT 2004)
52.244-6	52.244-6 Subcontracts for Commercial Items (NOV 2017)

Clauses incorporated by full text

52.216-24 52.216-24 Limitation of Government Liability (APR 1984)

- (a) In performing this contract, the Contractor is not authorized to make expenditures or incur obligations exceeding _____ dollars.
- (b) The maximum amount for which the Government shall be liable if this contract is terminated is _____ dollars.
(End of clause)

52.216-25 52.216-25 Contract Definitization (OCT 2010)

- (a) A _____ definitive contract is contemplated. The Contractor agrees to begin promptly negotiating with the Contracting Officer the terms of a definitive contract that will include (1) all clauses required by the Federal Acquisition Regulation (FAR) on the date of execution of the letter contract, (2) all clauses required by law on the date of execution of the definitive contract, and (3) any other mutually agreeable clauses, terms, and conditions. The Contractor agrees to submit a _____ proposal, including data other than certified cost or pricing data, and certified cost or pricing data, in accordance with FAR 15.408, Table 15-2, supporting its proposal.
- (b) The schedule for definitizing this contract is:

(c) If agreement on a definitive contract to supersede this letter contract is not reached by the target date in paragraph (b) of this section, or within any extension of it granted by the Contracting Officer, the Contracting Officer may, with the approval of the head of the contracting activity, determine a reasonable price or fee in accordance with Subpart 15.4 and Part 31 of the FAR, subject to Contractor appeal as provided in the Disputes clause. In any event, the Contractor shall proceed with completion of the contract, subject only to the Limitation of Government Liability clause.

(1) After the Contracting Officer's determination of price or fee, the contract shall be governed by-

- (i) All clauses required by the FAR on the date of execution of this letter contract for either fixed-price or cost-reimbursement contracts, as determined by the Contracting Officer under this paragraph (c);
- (ii) All clauses required by law as of the date of the Contracting Officer's determination; and
- (iii) Any other clauses, terms, and conditions mutually agreed upon.

(2) To the extent consistent with paragraph (c)(1) of this section, all clauses, terms, and conditions included in this letter contract shall continue in effect, except those that by their nature apply only to a letter contract.

(End of clause)

SECTION I

52.217-9 Option to Extend the Term of the Contract. (MAR 2000)

(a) The Government may extend the term of this contract by written notice to the Contractor within 30 days prior to the contract expiration date; provided that the Government gives the Contractor a preliminary written notice of its intent to extend at least 60 days before the contract expires. The preliminary notice does not commit the Government to an extension.

(b) If the Government exercises this option, the extended contract shall be considered to include this option clause.

(c) The total duration of this contract, including the exercise of any options under this clause, shall not exceed 36 months.

(End of clause)

52.252-2 Clauses Incorporated by Reference. (FEB 1998)

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(es): www.acquisition.gov/far/index.html. (End of clause)

Clause Number	Clause Title
<u>52.202-1</u>	Definitions. (NOV 2013)
<u>52.203-3</u>	Gratuities. (APR 1984)
<u>52.203-5</u>	Covenant Against Contingent Fees. (MAY 2014)
<u>52.203-6</u>	Restrictions on Subcontractor Sales to the Government. (SEP 2006)
<u>52.203-7</u>	Anti-Kickback Procedures. (MAY 2014)
<u>52.203-8</u>	Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity. (MAY 2014)
<u>52.203-10</u>	Price or Fee Adjustment for Illegal or Improper Activity. (MAY 2014)
<u>52.203-12</u>	Limitation on Payments to Influence Certain Federal Transactions. (OCT 2010)
<u>52.203-17</u>	Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights. (APR 2014)
<u>52.203-19</u>	Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (JAN 2017)
<u>52.204-4</u>	Printed or Copied Double-Sided on Postconsumer Fiber Content Paper (MAY 2011)
<u>52.204-12</u>	Unique Entity Identifier Maintenance. (OCT 2016)
<u>52.204-13</u>	System for Award Management Maintenance. (OCT 2016)
<u>52.209-6</u>	Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. (OCT 2015)
<u>52.215-2</u>	Audit and Records - Negotiation. (OCT 2010)
<u>52.215-8</u>	Order of Precedence - Uniform Contract Format. (OCT 1997)
<u>52.222-3</u>	Convict Labor. (JUN 2003)
<u>52.222-21</u>	Prohibition of Segregated Facilities. (APR 2015)
<u>52.222-26</u>	Equal Opportunity. (SEPT 2016)
<u>52.222-35</u>	Equal Opportunity for Veterans. (OCT 2015)
<u>52.222-36</u>	Equal Opportunity for Workers with Disabilities. (JUL 2014)
<u>52.222-37</u>	Employment Reports on Veterans. (FEB 2016)
<u>52.222-40</u>	Notification of Employee Rights Under the National Labor Relations Act (DEC 2010)
<u>52.222-50</u>	Combating Trafficking in Persons. (MAR 2015)
<u>52.222-54</u>	Employment Eligibility Verification. (OCT 2015)
<u>52.223-6</u>	Drug-Free Workplace. (MAY 2001)
<u>52.223-18</u>	Encouraging Contractor Policies to Ban Text Messaging While Driving. (AUG 2011)
<u>52.224-1</u>	Privacy Act Notification. (APR 1984)
<u>52.224-2</u>	Privacy Act. (APR 1984)

<u>52.225-13</u>	Restrictions on Certain Foreign Purchases. (JUN 2008)
<u>52.229-4</u>	Federal, State, and Local Taxes (State and Local Adjustments). (FEB 2013)
<u>52.232-1</u>	Payments. (APR 1984)
<u>52.232-8</u>	Discounts for Prompt Payment. (FEB 2002)
<u>52.232-11</u>	Extras. (APR 1984)
<u>52.232-25</u>	Prompt payment. (JAN 2017)
<u>52.232-33</u>	Payment by Electronic Funds Transfer – System for Award Management. (JUL 2013)
<u>52.232-39</u>	Unenforceability of Unauthorized Obligations. (JUN 2013)
<u>52.233-1</u>	Disputes. (MAY 2014)
<u>52.233-3</u>	Protest after Award. (AUG 1996)
<u>52.233-4</u>	Applicable Law for Breach of Contract Claim. (OCT 2004)
<u>52.242-2</u>	Production Progress Reports. (APR 1991)
<u>52.243-1 *A1</u>	Changes - Fixed-Price. (AUG 1987) - Alternate I (APR 1984)
<u>52.244-6</u>	Subcontracts for Commercial Items. (JAN 2017)
<u>52.245-1</u>	Government Property. (JAN 2017)
<u>52.249-4</u>	Termination for Convenience of the Government (Services) (Short Form). (APR 1984)
<u>52.249-8</u>	Default (Fixed-Price Supply and Service). (APR 1984)
<u>52.252-2</u>	Clauses Incorporated by Reference. (FEB 1998)
<u>52.253-1</u>	Computer Generated Forms. (JAN 1991)

Section J - List of Documents, Exhibits, and other Attachments

None

Clauses incorporated by reference

None

Clauses incorporated by full text

SECTION J

Attachment A - Worksharing Agreement for FY 2017

Attachment B - SF LLL, Disclosure of Lobbying Activities, 2 Pages

Attachment C - Federal Register Notice, Dated November 17, 2016

ATTACHMENT A
WORKSHARING AGREEMENT FOR FY2018

FY 2018 EEOC/FEPA MODEL WORKSHARING AGREEMENT

WORKSHARING AGREEMENT

BETWEEN

LOUISVILLE-JEFFERSON COUNTY METRO HUMAN RELATIONS COMMISSION

and

THE U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

INDIANAPOLIS DISTRICT OFFICE

FOR FISCAL YEAR 2018

I. INTRODUCTION

- A. The Louisville-Jefferson County Metro Human Relations Commission, hereinafter referred to as the FEPA, has jurisdiction over allegations of employment discrimination filed against employers of Two (2) or more employees occurring within Louisville Metro/Jefferson County based on race, color, sex, religion, national origin, age disability, sexual orientation, gender identity and retaliation pursuant to Title VII of the Civil Rights Act of 1964, Americans with Disabilities Act, Age Discrimination in Employment Act, GINA, and Louisville Amended Ordinance No. 193, Series 2004.

The U.S. Equal Employment Opportunity Commission, hereinafter referred to as the EEOC, has jurisdiction over allegations of employment discrimination occurring throughout the United States where such charges are based on race, color, religion, sex, or national origin, all pursuant to Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000(e)) (hereinafter referred to as Title VII). The EEOC has jurisdiction to investigate and determine charges of discrimination based on age (40 or older) under the Age Discrimination in Employment Act of 1967, as amended (29 U.S.C. § 621 et. seq.) (ADEA), for unequal wages based on sex under the Equal Pay Act of 1963, as amended (29 U.S.C. § 206) (EPA), and over allegations of employment discrimination based on disability pursuant to Title I of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. § 12101) (ADA), and over the use or acquisition of genetic information as the basis for employment decisions pursuant to Title II of the Genetic Information Nondiscrimination Act of 2008.

- B. In recognition of, and to the extent of the common jurisdiction and goals of the two (2) Agencies, and in consideration of the mutual promises and covenants contained herein, the FEPA and the EEOC hereby agree to the terms of this Worksharing Agreement, which is designed to provide individuals with an efficient procedure for

obtaining redress for their grievances under appropriate Louisville Metro, Kentucky and Federal laws.

II. FILING OF CHARGES OF DISCRIMINATION

- A. In order to facilitate the assertion of employment rights, the EEOC and the FEPA each designate the other as its agent for the purpose of receiving and drafting charges, including those that are not jurisdictional with the agency that initially receives the charges. The EEOC's receipt of charges on the FEPA's behalf will automatically initiate the proceedings of both the EEOC and the FEPA for the purposes of Section 706 (c) and (e) (1) of Title VII. This delegation of authority to receive charges does not include the right of one Agency to determine the jurisdiction of the other Agency over a charge. Charges can be transferred from one agency to another in accordance with the terms of this agreement or by other mutual agreement.
- B. The FEPA shall take all charges alleging a violation of Title VII, the ADEA, the EPA, GINA or the ADA where both the FEPA and the EEOC have mutual jurisdiction, or where the EEOC only has jurisdiction, so long as the allegations meet the minimum requirements of those Acts, and for charges specified in Section III. A. 1. below, refer them to the EEOC for initial processing.
- C. Each Agency will inform individuals of their rights to file charges directly with the other Agency and or assist any person alleging employment discrimination to draft a charge in a manner that will satisfy the requirements of both agencies to the extent of their common jurisdiction.

Normally, once an agency begins an investigation, it resolves the charge. Charges may be transferred between the EEOC and the FEPA within the framework of a mutually agreeable system. Each agency will advise Charging Parties that charges will be resolved by the agency taking the charge except when the agency taking the charge lacks jurisdiction or when the charge is to be transferred in accordance with Section III (DIVISION OF INITIAL CHARGE-PROCESSING RESPONSIBILITIES).

- D. For charges that are to be dual-filed, each Agency will use EEOC Charge Form 5 (or alternatively, an employment discrimination charge form which within statutory limitations, is acceptable in form and content to the EEOC and the FEPA) to draft charges. When a charge is taken based on disability, the nature of the disability shall not be disclosed on the face of the charge.
- E. Within ten calendar days of receipt, each Agency agrees that it will notify both the Charging Party and the Respondent of the dual-filed nature of each such charge it receives for initial processing and explain the rights and responsibilities of the parties under the applicable Federal, State, or Local statutes.

III. DIVISION OF INITIAL CHARGE-PROCESSING RESPONSIBILITIES

In recognition of the statutory authority granted to the FEPA by Section 706(c) and 706(d) of Title VII as amended; and by Title I of the Americans with Disabilities Act, and the transmittal of charges of age discrimination pursuant to the Age Discrimination in Employment Act of 1967, the primary responsibility for resolving charges between the FEPA and the EEOC will be divided as follows:

A. The EEOC and the FEPA will process all Title VII, ADA, GINA, and ADEA charges that they originally receive.

1. For charges originally received by the EEOC and/or to be initially processed by the EEOC, the FEPA waives its right of exclusive jurisdiction to initially process such charges for a period of 60 days for the purpose of allowing the EEOC to proceed immediately with the processing of such charges before the 61st day.

In addition, the EEOC will initially process the following charges:

-- All Title VII, ADA, and concurrent Title VII/ADA charges jurisdictional with the FEPA and received by the FEPA 240 days or more after the date of violation;

-- All disability-based charges that may not be resolved by the FEPA in a manner consistent with the ADA.

-- All concurrent Title VII/EPA charges;

-- All charges against the FEPA or its parent organization where such parent organization exercises direct or indirect control over the charge decision-making process;

-- All charges filed by EEOC Commissioners;

-- Charges also covered by the Immigration Reform and Control Act;

-- Complaints referred to the EEOC by the U.S. Department of Justice, Office of Federal Contract Compliance Programs, or Federal fund-granting agencies under 29 CFR § 1640, 1641, and 1691.

-- Any charge where the EEOC is a party to a Conciliation Agreement or a Consent Decree that, upon mutual consultation and agreement, is relevant to the disposition of the charge. The EEOC will notify the FEPA of all Conciliation Agreements and Consent Decrees that have features relevant to the disposition of subsequent charges;

-- Any charge alleging retaliation for filing a charge with the EEOC or for cooperating with the EEOC; and

-- All charges against Respondents that are designated for initial processing by the EEOC in a supplementary memorandum to this Agreement.

2. The FEPA will initially process the following types of charges:

-- Any charge alleging retaliation for filing a charge with the FEPA or cooperating with the FEPA;

-- Any charge where the FEPA is a party to a Conciliation Agreement or a Consent Decree that, upon mutual consultation and agreement, is relevant to the disposition of the charge. The FEPA will provide the EEOC with an on-going list of all Conciliation Agreements and Consent Decrees that have features relevant to the disposition of subsequent charges;

-- All charges that allege more than one basis of discrimination where at least one basis is not covered by the laws administered by the EEOC but is covered by the FEPA Ordinance, or where the EEOC is mandated by federal court decision or by internal administrative EEOC policy to dismiss the charge, but the FEPA can process that charge.

-- All charges against Respondents that are designated for initial processing by the FEPA in a supplementary memorandum to this Agreement; and

-- All disability-based charges against Respondents over which the EEOC does not have jurisdiction.

- B. Notwithstanding any other provision of the Agreement, the FEPA or the EEOC may request to be granted the right to initially process any charge subject to agreement of the other agency. Such variations shall not be inconsistent with the objectives of this Worksharing Agreement or the Contracting Principles.
- C. Each Agency will on a quarterly basis notify the other of all cases in litigation and will notify each other when a new suit is filed. As charges are received by one Agency against a Respondent on the other Agency's litigation list a copy of the new charge will be sent to the other Agency's litigation unit within 14 working days.

IV. EXCHANGE OF INFORMATION

- A. Both the FEPA and the EEOC shall make available for inspection and copying to appropriate officials from the other Agency any information that may assist each Agency in carrying out its responsibilities. Such information shall include, but not necessarily be limited to, investigative files, conciliation agreements, staffing information, case management printouts, charge processing documentation, and any other material and data as may be related to the processing of dual-filed charges or administration of the contract. The Agency accepting information agrees to comply with any confidentiality requirements imposed on the agency providing the information. With respect to all information obtained from the EEOC, the FEPA agrees to observe the confidentiality provisions of Title VII, the ADEA, the ADA and GINA.
- B. In order to expedite the resolution of charges or facilitate the working of this Agreement, either Agency may request or permit personnel of the other Agency to accompany or to observe its personnel when processing a charge.

V. RESOLUTION OF CHARGES

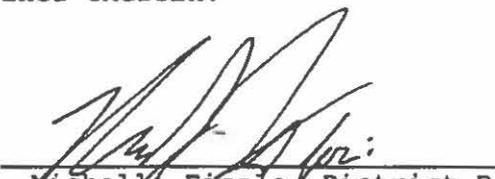
- A. Both agencies will adhere to the procedures set out in the EEOC's State and Local Handbook, including current revisions thereto.
- B. For the purpose of according substantial weight to the FEPA final finding and order, the FEPA must submit to the EEOC copies of all documents pertinent to conducting a substantial weight review; the evaluation will be designed to determine whether the following items have been addressed in a manner sufficient to satisfy EEOC requirements; including, but not limited to:
 - 1. jurisdictional requirements,
 - 2. investigation and resolution of all relevant issues alleging personal harm with appropriate documentation and using proper theory,
 - 3. relief, if appropriate,
 - 4. mechanisms for monitoring and enforcing compliance with all terms of conciliation agreements, orders after public hearing or consent orders to which the FEPA is a party.
- C. In order to be eligible for contract credit and/or payment, submissions must meet all the substantive and administrative requirements as stipulated in the Contracting Principles.
- D. For the purposes of determining eligibility for contract payment, a final action is defined as the point after which the charging party

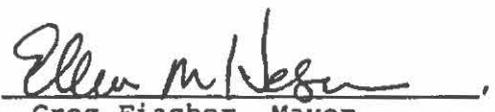
has no administrative recourse, appeal, or other avenue of redress available under applicable State and Local statutes.

VI. IMPLEMENTATION OF THE WORKSHARING AGREEMENT

- A. Each agency will designate a person as liaison official for the other agency to contact concerning the day-to-day implementation for the Agreement. The liaison for the FEPA will be Kendall Boyd, Executive Director. The liaison official for the EEOC will be Jeremy Sells.
- B. The agencies will monitor the allocation of charge-processing responsibilities as set forth in the Agreement. Where it appears that the overall projection appears inappropriate, the appropriate portions of this Agreement will be modified to ensure full utilization of the investigation and resolution capacities of the FEPA and rapid redress for allegations of unlawful employment discrimination.
- C. The agencies agree to work together in furtherance of the EEOC's current Strategic Plan when assessing the allocation of charges under this agreement and to cooperate in compliance and enforcement efforts as well as training, outreach and technical assistance efforts encompassed by the Plan.
- D. The EEOC will provide original forms to be copied by the FEPA, in accordance with the Regulations and the Compliance Manual to be used by the FEPAs in correspondence with Charging Parties and Respondents.
- E. If a dispute regarding the implementation or application of this agreement cannot be resolved by the FEPA and District Office Director, the issues will be reduced to writing by both parties and forwarded to the Director of the Office of Field Programs for resolution.
- F. This Agreement shall operate from the first day of October 2017 to the thirtieth day of September 2018 and may be renewed or modified by mutual consent of the parties.

I have read the foregoing Worksharing Agreement and I accept and agree to the provisions contained therein.

Date 10/11/17 
Michelle Eisele, District Director
U.S. Equal Employment Opportunity Commission
Indianapolis District Office

Date 10/11/17 
Greg Fischer, Mayor
Louisville Metro Government
Louisville-Jefferson County Metro
Human Relations Commission

ATTACHMENT B
DISCLOSURE OF LOBBYING ACTIVITIES

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB
0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

(See reverse for public burden disclosure.)

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known: 4c	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known:	
6. Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number, if applicable: _____	
8. Federal Action Number, if known:	9. Award Amount, if known: \$ _____	
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI):	b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

ATTACHMENT C

FEDERAL REGISTER NOTICE NOVEMBER 17, 2016

81116

Federal Register / Vol. 81, No. 222 / Thursday, November 17, 2016 / Notices

ENVIRONMENTAL PROTECTION AGENCY**(EPA-HQ-OECA-2013-0345; FRL-9953-00-OEI)****Information Collection Request Submitted to OMB for Review and Approval; Comment Request; NESHAP for Metal Can Manufacturing Surface Coating (Renewal)****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

SUMMARY: The Environmental Protection Agency has submitted an information collection request (ICR), "NESHAP for Metal Can Manufacturing Surface Coating (40 CFR part 63, subpart KKKK) (Renewal)" (EPA ICR No. 2079.06, OMB Control No. 2060-0541), to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). This is a proposed extension of the ICR, which is currently approved through November 30, 2016. Public comments were previously requested via the *Federal Register* (81 FR 26546) on May 3, 2016 during a 60-day comment period. This notice allows for an additional 30 days for public comments. A fuller description of the ICR is given below, including its estimated burden and cost to the public. An Agency may neither conduct nor sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

DATES: Additional comments may be submitted on or before December 19, 2016.

ADDRESSES: Submit your comments, referencing Docket ID Number EPA-HQ-OECA-2013-0345, to: (1) EPA online using www.regulations.gov (our preferred method), or by email to doCKET.oeca@epa.gov, or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460; and (2) OMB via email to oira_submission@omb.eop.gov. Address comments to OMB Desk Officer for EPA.

EPA's policy is that all comments received will be included in the public docket without change, including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI), or other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION CONTACT: Patrick Yellin, Monitoring, Assistance,

and Media Programs Division, Office of Compliance, Mail Code 2227A, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: (202) 564-2970; fax number: (202) 564-0050; email address: yellin.patrick@epa.gov.

SUPPLEMENTARY INFORMATION:

Supporting documents which explain in detail the information that the EPA will be collecting are available in the public docket for this ICR. The docket can be viewed online at www.regulations.gov or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The telephone number for the Docket Center is 202-566-1744. For additional information about EPA's public docket, visit: <http://www.epa.gov/dockets>.

Abstract: The affected entities are subject to the General Provisions of the NESHAP for Metal Can Manufacturing Surface Coating (40 CFR part 63, subpart A), and any changes, or additions, to the Provisions are specified at 40 CFR part 63, subpart KKKK. Owners or operators of the affected facilities must submit a one-time-only report of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports are required semiannually at a minimum.

Form Numbers: None.

Respondents/affected entities: Metal can manufacturing facilities that use 1,500 gallons or more of surface coatings.

Respondent's obligation to respond: Mandatory (40 CFR part 63, subpart KKKK).

Estimated number of respondents: 5 (total).

Frequency of response: Initially, occasionally and semiannually.

Total estimated burden: 1,940 hours (per year). Burden is defined at 5 CFR 1320.3(b).

Total estimated cost: \$206,000 (per year), which includes \$6,000 in annualized capital/startup or operation & maintenance costs.

Changes in the Estimates: There is a small adjustment increase of 2 respondent labor hours due to rounding of all total calculated values to three

significant digits. The increase is not due to any program change.

Courtney Kerwin,

Director, Regulatory Support Division.

[FR Doc. 2016-27579 Filed 11-16-16; 8:45 am]

BILLING CODE 6560-50-P

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**Privacy Act of 1974; Publication of Notices of Systems of Records and Proposed New Systems of Records**

AGENCY: Equal Employment Opportunity Commission.

ACTION: Notice; publication of notices of systems of records, and proposed new systems of records.

SUMMARY: This notice proposes one new system of records, changes to a number of existing systems of records, and removes obsolete systems of records. This notice republishes all of EEOC's notices for its systems of records subject to the Privacy Act in one issue of the *Federal Register* so that an accurate and complete text of the notices is available for use by individuals and by agency Privacy Act officers.

DATES: The changes to the existing systems of records are effective on November 17, 2016. The proposed new system of records will become effective, without further notice, on January 17, 2017 unless comments dictate otherwise.

ADDRESSES: Comments on this notice may be submitted to the EEOC in three ways; please use only one.

- Comments and attachments may be submitted online at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions on the Web site for submitting comments. Comments received here will be posted publicly on the same portal without change, including any personal information you provide. However, the EEOC reserves the right to refrain from posting comments: That contain obscene, indecent, or profane language; that contain threats or defamatory statements; that contain hate speech directed at race, color, sex, sexual orientation, national origin, ethnicity, age, religion, or disability; or that promote or endorse services or products.

- Hard copy comments may be submitted to Bernadette Wilson, Acting Executive Officer, Executive Secretariat, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507.

• The Executive Secretariat also will accept documents totaling six or fewer pages by facsimile ("fax") machine. This limitation is necessary to assure access to the equipment. The telephone number of the fax receiver is (202) 663-4114. (This is not a toll-free number.) Receipt of fax transmittals will not be acknowledged, except that the sender may request confirmation of receipt by calling the Executive Secretariat staff at (202) 663-4070 (voice) or (202) 663-4074 (TTY). (These are not toll-free telephone numbers.)

Subject to the conditions noted above, the EEOC will post online at <http://www.regulations.gov> all comments submitted in hard copy or by fax with the Executive Secretariat. The EEOC Headquarters' library also will make available hard copies of all comments, by advance appointment only, between the hours of 9 a.m. and 5 p.m. Eastern Time. To schedule an appointment to inspect the comments at the EEOC's library, contact the library staff at (202) 663-4630 (voice) or (202) 663-4641 (TTY). (These are not toll-free numbers.)

Copies of this notice are available in the following alternate formats: Large print, braille, electronic file on computer disk, and audio-tape. Copies may be obtained from the Publications Center by calling 1-800-699-3362.

FOR FURTHER INFORMATION CONTACT: Thomas J. Schlageter, Assistant Legal Counsel, (202) 663-4668 (voice), Kathleen Oram, Senior Attorney (202) 663-4681 (voice), or Savannah Marion, (202) 663-4909 or (202) 663-7026 (TDD).

SUPPLEMENTARY INFORMATION: The Equal Employment Opportunity Commission last published its Privacy Act systems notices in 2002. The Commission proposes one new system of records to cover Freedom of Information Act and Privacy Act records. EEOC previously covered these records in its general correspondence system of records. The Commission is deleting EEOC-6 Employee Assistance Program records and EEOC-14 Employee Parking records because it no longer collects and keeps those records and is replacing EEOC-6 with the new Freedom of Information Act and Privacy Act Records system. The Employee Assistance Program records are now maintained by the Department of Health and Human Services, and Employee Parking records are maintained by a private building management company. In addition, the Commission is amending a number of its systems to recognize more widespread electronic storage, and remove requirements that persons submit social security numbers when

requesting records. The Commission is adding a statement of general routine uses to include two new routine uses permitting disclosure of records from all of its systems of records for suspected or confirmed breach notification and response. The Commission is removing three obsolete routine uses from its Claims Collection Records notice and one routine use from its Internal Harassment Inquires Records notice. EEOC is adding a new routine use to its two Discrimination Case Files systems of records, a new routine use to its Internal Harassment Inquiries system of records, and one new routine use to its Office of Inspector General system of records. Finally, the Commission has amended several system notices to reflect current office names and has amended Appendix A to reflect current addresses of Commission offices. To ensure that users will have a copy of the current text of each of its system notices, the Commission is publishing the complete text of all of its systems notices.

A brief description of the major changes follows:

Universal Routine Uses: EEOC proposes to add two routine uses applicable to all systems of records. One would permit EEOC to disclose records reasonably necessary to respond to a suspected or confirmed breach of the system of records where EEOC determines there may be a risk of harm to individuals, EEOC, or the Federal government. The second proposed routine use would allow EEOC to disclose records to other Federal agencies to assist in their efforts to respond to a suspected or confirmed breach.

EEOC-1 Age and Equal Pay Act Discrimination Case Files and EEOC-3 Title VII, Americans with Disabilities Act, and Genetic Information Nondiscrimination Act Discrimination Case Files: A routine use that permits disclosure to other federal agencies in accordance with Memoranda of Understanding or similar agreements between EEOC and other agencies that provide for coordination and cooperation in EEOC's employment discrimination enforcement efforts is proposed. The retention and disposal sections are updated.

EEOC-3 Title VII, Americans with Disabilities Act, and Genetic Information Nondiscrimination Act Discrimination Case Files: The system was updated to add Genetic Information Nondiscrimination Act (GINA) files. A routine use that permits disclosure to other federal agencies in accordance with Memoranda of Understanding or similar agreements between EEOC and

other agencies that provide for coordination and cooperation in EEOC's employment discrimination enforcement efforts is proposed.

EEOC-6 Freedom of Information Act and Privacy Act Records: This new system of records replaces the obsolete Employee Assistance Program Records system and covers all Freedom of Information Act (FOIA) and Privacy Act requests, administrative appeals, responses, and related records. These records were previously included in EEOC-5 Correspondence and Communications. Nine routine uses are proposed for the system.

EEOC-9 Claims Collection Records: Three obsolete routine uses are removed, as is an obsolete reference to consumer reporting agencies.

EEOC-14 Reserved: We have removed the Employee Parking Records system because those records are no longer collected by EEOC, but are collected by the private building management company at EEOC's headquarters building.

EEOC-15 Internal Harassment Inquiries: We have removed routine use (h) as unnecessary since disclosures could be made under the "need to know" exception. We propose to add a new routine use (h) to permit disclosures to the alleged harasser in the event of a disciplinary proceeding.

EEOC-16 Office of Inspector General Investigative Files: We propose a new routine use permitting disclosures during peer reviews.

EEOC-17 Defensive Litigation Files: The system is updated to reflect that internal defensive litigation files are maintained in the Office of General Counsel and external defensive litigation files are maintained in the Office of Legal Counsel.

EEOC-18 Reasonable Accommodation Records: We added notification procedures, record access procedures, contesting records procedures, and record source categories.

The proposed universal routine uses, the routine uses in the one new system of records noted above and the proposed new routine uses in two existing systems meet the compatibility criteria since the information involved is collected for the purpose of the applicable routine uses. We anticipate that any disclosure pursuant to these routine uses will not result in any unwarranted adverse effects on personal privacy.

A complete list of all EEOC systems of records is published below. The complete text of the notices follows.

81118

Federal Register / Vol. 81, No. 222 / Thursday, November 17, 2016 / Notices

For the Commission.

Jenny R. Yang,
Chair.

EEOC Systems of Records

Universal Routine Uses.

EEOC-1 Age Discrimination in Employment Act, Equal Pay Act, and Section 304 of the Government Employee Rights Act Discrimination Case Files.

EEOC-2 Attorney Referral List.

EEOC-3 Title VII, Americans with Disabilities Act, and Genetic Information Nondiscrimination Act

EEOC-4 Biographical Files.

EEOC-5 Correspondence and Communications.

EEOC-6 Freedom of Information Act and Privacy Act Records

EEOC-7 Employee Pay and Leave Records.

EEOC-8 Employee Travel and Reimbursement Records.

EEOC-9 Claims Collection Records.

EEOC-10 Grievance Records.

EEOC-11 Adverse Actions Against Nonpreference Eligibles in the Excepted Service Records

EEOC-12 Telephone Call Detail Records.

EEOC-13 Employee Identification Cards.

EEOC-14 Reserved

EEOC-15 Internal Harassment

Investigation Files.

EEOC-16 Office of Inspector General Investigative Files.

EEOC-17 Defensive Litigation Files.

EEOC-18 Reasonable

Accommodation Records.

EEOC-19 Revolving Fund

Registrations.

EEOC-20 RESOLVE Program Records.

EEOC-21 Emergency Management Records.

EEOC-22 EEOC Personnel Security Records.

EEOC/GOVT-1 Equal Employment Opportunity in the Federal Government Complaint and Appeal Records.

Universal Routine Uses: The following routine uses of the records apply to and are incorporated by reference into each system of records published below:

a. To appropriate agencies, entities, and persons when: (1) EEOC suspects or has confirmed that there has been a breach of the system of records; (2) EEOC has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, the agency (including its information systems, programs, and operations), or the Federal government; and (3) the disclosure made to such agencies, entities, and persons is reasonably

necessary to assist in connection with EEOC's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

b. To another Federal agency or Federal entity when information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the agency (including its information systems, programs, and operations), or the Federal government.

EEOC-1

SYSTEM NAME:

Age Discrimination in Employment Act, Equal Pay Act, and Section 304 of the Government Employee Rights Act Discrimination Case Files.

SYSTEM LOCATION:

Field Office where the charge or complaint of discrimination was filed (see Appendix A). Records of complaints filed under section 321 of the Government Employees Rights Act of 1991 are located in the Office of Federal Operations 131 M Street NE., Washington, DC 20507, after a hearing has been requested.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Persons other than federal employees and applicants who file charges or complaints with EEOC alleging that an employer, employment agency or labor organization has violated the Age Discrimination in Employment Act of 1967 or the Equal Pay Act of 1963, or who file complaints under section 304 of the Government Employees Rights Act of 1991.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains the records compiled during the investigation of age and equal pay discrimination cases and during the investigation and hearing of complaints filed under section 304 of the Government Employees Rights Act of 1991. These records include:

a. Documents submitted by charging party or complainant such as charge of discrimination, personal interview statement, and correspondence.

b. Documents submitted by employer such as statement of position, correspondence, statements of witnesses, documentary evidence such as personnel files, records of earnings, employee benefit plans, seniority list, job titles and descriptions, applicant data, organizational charts, collective

bargaining agreements, and petitions to revoke or modify subpoenas.

c. Records gathered and generated by EEOC in the course of its investigation and, in complaints filed under section 304 of the Government Employees Rights Act of 1991, during the hearing, such as letters of referral to state fair employment practices agencies, correspondence with state fair employment practices agencies, witness statements, investigator's notes, investigative plan, report of initial and exit interview, investigator's analyses of evidence and charge, subpoenas, decisions and letters of determination, conciliation agreements, correspondence and any additional evidence gathered during the course of the investigation.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301; 29 U.S.C. 209, 211, 623, 626; 42 U.S.C. 2000e-16c; 44 U.S.C. 3101; 2 U.S.C. 1220.

PURPOSE:

This system is maintained for the purpose of enforcing the prohibitions against employment discrimination contained in the Age Discrimination in Employment Act, the Equal Pay Act and section 304 of the Government Employees Rights Act of 1991.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used:

a. To disclose pertinent information to a federal, state, or local agency or third party as may be appropriate or necessary to perform the Commission's functions under the Age Discrimination in Employment Act, Equal Pay Act, or section 304 of the Government Employee Rights Act of 1991.

b. To disclose information contained in these records to state and local agencies administering state or local fair employment practices laws.

c. To disclose non-confidential and non-privileged information from closed ADEA/EPA case files (a file is closed when the Commission has terminated its investigation and has decided not to sue) to the employer where a lawsuit has been filed against the employer involving that information, to other employees of the same employer who have been notified by the Commission of their right under 29 U.S.C. 216 to file a lawsuit on their own behalf, and their representatives.

d. To provide information to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of a party to the charge.

e. To disclose pertinent information to the appropriate federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the EEOC becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

f. To disclose information to another federal agency, to a court, or to a party in litigation before a court or in an administrative proceeding being conducted by a federal agency when the government is a party to the judicial or administrative proceeding.

g. To disclose information to officials of state or local bar associations or disciplinary boards or committees when they are investigating complaints against attorneys in connection with their representation of a party before EEOC.

h. To disclose to a Federal agency in the executive, legislative, or judicial branch of government, in response to its request for information in connection with the hiring of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, or the lawful statutory, administrative, or investigative purpose of the agency to the extent that the information is relevant and necessary to the requesting agency's decision.

i. To disclose information to other federal agencies in accordance with Memoranda of Understanding or similar agreements between EEOC and other agencies that provide for coordination, cooperation, and confidentiality of documents in EEOC's employment discrimination enforcement efforts.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

These records are maintained in file folders and electronically.

RETRIEVABILITY:

These records are retrievable by charging party name, employer name, and charge number.

SAFEGUARDS:

Paper records are maintained in a secured area to which only authorized personnel have access. Access to and use of these records is limited to those persons whose official duties require such access. The premises are locked when authorized personnel are not on duty. Access to electronic records is limited, through use of usernames and passwords, to those whose official duties require access.

RETENTION AND DISPOSAL:

All private sector charge files not designated for permanent retention will be retained for three years following the fiscal year in which they were closed. (For example, if a charge was closed on March 31, 2014, in FY 2014, the three-year retention period would begin on October 1, 2014, which is the first day of FY 2015.) These non-permanent files will be retained for one year in the EEOC field office where the charge of discrimination was filed. Afterwards, the non-permanent files will be transferred to the Federal Records Center (FRC). The FRC will destroy the files after the three-year retention period is met. Permanent files will be retained in the field office for three years and then transferred to FRC. FRC will transfer the files to the National Archives and Records Administration (NARA) for permanent retention when eligible.

Closed non-permanent private sector charge files that are the subject of Freedom of Information Act (FOIA) requests are retained for six years after the FOIA response is provided. The files will be transferred to FRC one year after completion of all actions taken under FOIA/Privacy Act. Alternatively, the files may be included as part of the permanent files retained by the EEOC field office.

Closed private sector charge files that are the subject of a Section 83 request are retained for six years after the Section 83 response is provided. The files will be transferred to FRC one year after completion of all actions taken under FOIA. Alternatively, the files may be included as part of the permanent files retained by the EEOC field office.

SYSTEM MANAGER(S) AND ADDRESS:

Director of the office in the field where the charge was filed (see Appendix A). Director of the Office of Field Programs, 131 M Street NE., Washington, DC 20507. Director of the Office of Federal Operations, 131 M Street NE., Washington, DC 20507 (only for complaints filed under section 321 of the Government Employees Right Act of 1991).

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

This system is exempt under 5 U.S.C. 552a(k)(2) from subsections (c)(3), (d), (e)(1), (e)(4)(G), (e)(4)(H), (e)(4)(I) and (f) of the Act.

EEOC-2

SYSTEM NAME:

Attorney Referral List.

SYSTEM LOCATION:

All District Offices (see Appendix A).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Attorneys who represent plaintiffs in employment discrimination litigation.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains attorneys' names, business addresses and telephone numbers, the nature and amount of their civil rights litigation experience; their state and federal bar admissions; whether the attorneys have the capacity and desire to handle class actions; whether the attorneys charge consultation fees (and how much); whether the attorneys will waive the consultation fee; the types of fee arrangements the attorneys will accept; and whether the attorney speaks a foreign language fluently.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

42 U.S.C. 2000e-4(g); 44 U.S.C. 3101.

PURPOSE:

This system is maintained for the purpose of providing charging parties, upon their request, with information about local attorneys who represent plaintiffs in employment discrimination litigation.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used:

a. To refer charging parties to attorneys who handle litigation of employment discrimination lawsuits.

b. To provide information to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Stored on prepared forms, on index cards and electronically.

RETRIEVABILITY:

Indexed alphabetically by names of the attorneys.

SAFEGUARDS:

Access to this system of records is restricted to EEOC personnel who have a legitimate use for the information. This system is stored in filing cabinets. Access to electronic records is limited, through use of access codes and entry logs, to those whose official duties require access.

81120

Federal Register / Vol. 81, No. 222 / Thursday, November 17, 2016 / Notices

RETENTION AND DISPOSAL:

Files are reviewed and updated annually.

SYSTEM MANAGERS AND ADDRESS:

Regional Attorney at each District Office (see Appendix A).

NOTIFICATION PROCEDURE:

Inquiries concerning this system of records should be addressed to the appropriate system manager. It is necessary to furnish the following information: (1) Full name of the individual whose records are requested; (2) mailing address to which the reply should be sent.

RECORD ACCESS PROCEDURES:

Same as above.

CONTESTING RECORD PROCEDURES:

Same as above.

RECORD SOURCE CATEGORIES:

The individual on whom the record is maintained.

EEOC-3**SYSTEM NAME:**

Title VII, Americans with Disabilities Act, and Genetic Information Nondiscrimination Act Discrimination Case Files.

SYSTEM LOCATION:

Field Office where the charge of discrimination was filed (see Appendix A).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Persons, other than federal employees and applicants, who file charges alleging that an employer, employment agency, labor organization or joint labor-management apprenticeship committee has violated Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA), or any combination of the three.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains records compiled during the investigation of race, color, religion, sex, national origin, disability, and genetic information discrimination cases. These records include:

a. Documents submitted by charging party, such as a charge of discrimination, a personal interview statement, medical records, and correspondence.

b. Documents submitted by employer such as position statement, correspondence, statements of witnesses, documentary evidence such

as personnel files, records of earnings, EEO data, employee benefit plans, seniority lists, job titles and descriptions, applicant data, organizational charts, collective bargaining agreements, and petition to revoke or modify subpoenas.

c. Records gathered and generated by EEOC in the course of its investigation such as letters to state or local fair employment practice agencies, correspondence with state fair employment practice agencies, witness statements, investigator's notes, investigative plan, investigator's analysis of the evidence and charge, report of initial and exit interviews, copy of deferral to state, subpoenas, decisions and letters of determination, analysis of deferral agency action, conciliation agreements, correspondence, and any additional evidence gathered during the course of the investigation.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301; 42 U.S.C. 2000e-5, -8 and -9; 42 U.S.C. 12117; 44 U.S.C. 3101, 42 U.S.C. 2000ff-10.

PURPOSE:

This system is maintained for the purpose of enforcing the prohibitions against employment discrimination contained in Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, and Title II of the Genetic Information Nondiscrimination Act of 2008

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used:

a. To disclose pertinent information to a federal, state, or local agency or third party as may be appropriate or necessary to perform the Commission's functions under Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, or Title II of the Genetic Information Nondiscrimination Act of 2008.

b. To disclose information contained in these records to state and local agencies administering state or local fair employment practices laws.

c. To disclose non-confidential or non-privileged information contained in these records to the following persons after a notice of right to sue has been issued:

1. Aggrieved persons and their attorneys in case files involving Commissioner Charges provided that such persons have been notified of their status as aggrieved persons;

2. Persons or organizations filing on behalf of an aggrieved person provided

that the aggrieved person has given written authorization to the person who filed on his or her behalf to act as the aggrieved person's agent for this purpose, and their attorneys;

3. Employers and their attorneys, provided that the charging party or aggrieved person has filed suit under Title VII, the Americans with Disabilities Act, Title II of the Genetic Information Nondiscrimination Act of 2008, or any combination of the three.

d. To provide information to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of a party to the charge.

e. To disclose pertinent information to the appropriate federal, state, or local agencies responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where EEOC becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

f. To disclose information to another federal agency, to a court, or to a party in litigation before a court or in an administrative proceeding being conducted by a federal agency when the government is a party to the judicial or administrative proceeding.

g. To disclose information to officials of disciplinary boards or committees under the control of a state or local government when they are investigating complaints against attorneys in connection with their representation of a party before EEOC.

h. To disclose to a Federal agency in the executive, legislative, or judicial branch of government, in response to its request for information in connection with the hiring of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, or the lawful statutory, administrative, or investigative purpose of the agency to the extent that the information is relevant and necessary to the requesting agency's decision.

i. To disclose information to other federal agencies in accordance with Memoranda of Understanding or similar agreements between EEOC and other agencies that provide for coordination, cooperation, and confidentiality of documents in EEOC's employment discrimination enforcement efforts.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM**STORAGE:**

These records are maintained in file folders and electronically.

RETRIEVABILITY:

These records are retrievable by charging party name, employer name, and charge number.

SAFEGUARDS:

Paper records are maintained in a secured area to which only authorized personnel have access. Access to and use of these records is limited to those persons whose official duties require such access. The premises are locked when authorized personnel are not on duty. Access to electronic records is limited, through use of usernames and passwords, to those whose official duties require access.

RETENTION AND DISPOSAL:

All private sector charge files not designated for permanent retention will be retained for three years following the fiscal year in which they were closed. (For example, if a charge was closed on March 31, 2014, in FY 2014, the three-year retention period would begin on October 1, 2014, which is the first day of FY 2015.) These non-permanent files will be retained for one year in the EEOC field office where the charge of discrimination was filed. Afterwards, the non-permanent files will be transferred to the Federal Records Center (FRC). The FRC will destroy the files after the three-year retention period is met. Permanent files will be retained in the field office for three years and then transferred to FRC. FRC will transfer the files to the National Archives and Records Administration (NARA) for permanent retention when eligible.

Closed non-permanent private sector charge files that are the subject of Freedom of Information Act (FOIA) requests are retained for six years after the FOIA response is provided. The files will be transferred to FRC one year after completion of all actions taken under FOIA/Privacy Act. Alternatively, the files may be included as part of the permanent files retained by the EEOC field office.

Closed private sector charge files that are the subject of a Section 83 request are retained for six years after the Section 83 response is provided. The files will be transferred to FRC one year after completion of all actions taken under FOIA/Privacy Act. Alternatively, the files may be included as part of the permanent files retained by the EEOC field office.

SYSTEM MANAGER(S) AND ADDRESS:

Director of the office in the field where the charge was filed (see Appendix A). Director of the Office of

Field Programs, 131 M Street NE., Washington, DC 20507.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

This system is exempt under 5 U.S.C. 552a(k)(2) from subsections (c)(3), (d), (e)(1), (e)(4)(G), (e)(4)(H), (e)(4)(I), and (f) of the Act.

EEOC-4**SYSTEM NAME:**

Biographical Files.

SYSTEM LOCATION:

Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former Commissioners, General Counsels and Commission officials.

CATEGORIES OF RECORDS IN THE SYSTEM:

Includes for each the name, date and place of birth, education, employment history, and other biographical information.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

44 U.S.C. 3101, 42 U.S.C. 2000e-4.

PURPOSE:

This system is maintained for the purpose of providing information about EEOC officials to members of the Congress and the public.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used

- To answer public and congressional inquiries regarding EEOC Commissioners, General Counsels and Commission officials.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Stored electronically.

RETRIEVABILITY:

Indexed by last name of the Commissioner, General Counsel or Commission official.

SAFEGUARDS:

Files are kept in the Office of Communications and Legislative Affairs, which is locked evenings, weekends, and holidays.

RETENTION AND DISPOSAL:

Maintained permanently.

SYSTEM MANAGER AND ADDRESS:

Director, Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507.

NOTIFICATION PROCEDURES:

Inquiries concerning this system of records should be addressed to the system manager. All inquiries should furnish the full name of the individual and the mailing address to which the reply should be mailed.

RECORD ACCESS PROCEDURES:

Same as above.

CONTESTING RECORDS PROCEDURES:

Same as above.

RECORD SOURCE CATEGORIES:

The individual to whom the record pertains.

EEOC-5**SYSTEM NAME:**

Correspondence and Communications.

SYSTEM LOCATION:

All locations listed in appendix A and all headquarters offices, 131 M Street NE., Washington, DC 20507.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Charging parties, members of the general public, members of Congress and current and former federal employees who seek information or assistance from EEOC.

CATEGORIES OF RECORDS IN THE SYSTEM:

- Inquiries from members of Congress, the White House and members of the general public, including current and former federal employees.
- EEOC responses to the above inquiries.
- Computer tracking system indicating the dates inquiries are received, to whom and when they are assigned for response and the dates they are answered.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

44 U.S.C. 3101; 42 U.S.C. 2000e-4.

PURPOSE:

This system is maintained for the purpose of responding to inquiries from members of Congress and the public seeking information or assistance.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used:

81122

Federal Register / Vol. 81, No. 222 / Thursday, November 17, 2016 / Notices

a. To provide information to a congressional office from the record of an individual in response to an inquiry from the congressional office at the request of the individual.

b. To disclose information to another federal agency, to a court, or to a party in litigation before a court or in an administrative proceeding being conducted by a federal agency when the government is a party to the judicial or administrative proceeding.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

These records are maintained in file cabinets and electronically.

RETRIEVABILITY:

Computer entries are retrievable by name of author of a letter, by subject, by key word, by reference number, by name of person to whom assigned, and by dates assigned, due, and answered.

SAFEGUARDS:

These records are kept in a secured area to which only authorized personnel have access. Access to and use of these records is limited to those persons whose official duties require such access. The premises are locked when authorized personnel are not on duty. Access to electronic records is limited, through use of usernames and passwords, to those whose official duties require access.

RETENTION AND DISPOSAL:

Records are maintained for three years from the date of the last communication and then destroyed. Tracking system information is maintained in the computer for four years.

SYSTEM MANAGER AND ADDRESS:

Director of each Commission office in the field and Headquarters office. (See Appendix A.)

NOTIFICATION PROCEDURE:

Inquiries concerning this system of records should be addressed to the system manager. All inquiries should furnish the full name of the individual and the mailing address to which the reply should be mailed.

RECORD ACCESS PROCEDURES:

Same as above.

CONTESTING RECORDS PROCEDURES:

Same as above.

RECORD SOURCE CATEGORIES:

Members of Congress, their staffs, the White House, charging parties, members of the general public, current and former federal employees.

EEOC-6

SYSTEM NAME:

Freedom of Information Act and Privacy Act Records.

SYSTEM LOCATION:

Field Office where Freedom of Information Act or Privacy Act request was submitted (see Appendix A); Office of Legal Counsel, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Persons who submit Freedom of Information Act (FOIA) and Privacy Act requests and administrative appeals to the Equal Employment Opportunity Commission (EEOC); and persons whose requests and/or records have been submitted to EEOC by other agencies.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system consists of records created or compiled in response to FOIA or Privacy Act requests and administrative appeals, including the original requests and administrative appeals, responses to such requests and administrative appeals, all related memoranda, correspondence, notes and other related or supporting documentation, and, in some instances, copies of requested records and records under administrative appeal.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301; 44 U.S.C. 3101; 5 U.S.C. 552; and 5 U.S.C. 552a.

PURPOSE(S):

This system is maintained for the purpose of processing requests and administrative appeals under the FOIA, and access and amendment requests and administrative appeals under the Privacy Act; for the purpose of participating in litigation regarding agency action on such requests and appeals; and for the purpose of assisting EEOC in carrying out any other responsibilities under the FOIA and the Privacy Act.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used:

a. To provide information to a federal, state, local, or foreign agency or entity for the purpose of consulting with that agency or entity to enable the EEOC to make a determination as to the propriety of access to, or correction of, information, or for the purpose of verifying the identity of an individual or the accuracy of information submitted

by an individual who has requested access to or amendment of information.

b. To provide information to a federal agency or entity that furnished the record or information for the purpose of permitting that agency or entity to make a decision as to access to, or correction of, the record or information.

c. To provide information to a submitter or subject of a record or information in order to obtain assistance to EEOC in making a determination as to access or amendment.

d. To provide information to the National Archives and Records Administration, Office of Government Information Services (OGIS), to the extent necessary to fulfill its responsibilities under 5 U.S.C. 552(h) to review federal agency policies, procedures, and compliance with the FOIA, and to facilitate OGIS's offering of mediation services to resolve disputes between persons making FOIA requests and federal agencies.

e. To provide information to contractors, experts, consultants, students, and others performing or working on a contract, service, or other assignment for the federal government, when necessary to accomplish an agency function related to this system of records.

f. To provide information to a congressional office from the record of the individual in response to an inquiry from that congressional office made at the request of that individual.

g. To disclose information to another federal agency, to a court, or to a party in litigation before a court or in an administrative proceeding being conducted by a federal agency when the government is a party to the judicial or administrative proceeding.

h. To disclose pertinent information to the appropriate federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, when the EEOC becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

i. To disclose in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in the pending judicial or administrative proceeding.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Records in this system are stored on paper and/or in electronic form.

RETRIEVABILITY:

Records are retrieved by the name of the requester or appellant; the number assigned to the request or appeal; and, in some instances, the name of the attorney representing the requester or appellant or the name of the EEOC personnel assigned to handle such requests and appeals.

SAFEGUARDS:

Information in this system is safeguarded in accordance with applicable laws, rules, and policies, including EEOC's automated systems security and access policies. Records and electronic equipment are maintained in buildings with restricted access. The required use of password protection identification features and other system protection methods also restrict access. Access is limited to those EEOC officers and employees who have an official need for access to perform their duties.

RETENTION AND DISPOSAL:

Records are retained and disposed of in accordance with the National Archives and Records Administration's General Records Schedule 14.

SYSTEM MANAGER(S) AND ADDRESS:

Director of the field office where the Freedom of Information Act or Privacy Act request was submitted (see Appendix A) or the Legal Counsel, 131 M Street NE., Washington, DC 20507.

NOTIFICATION PROCEDURE:

Inquiries concerning this system of records should be addressed to the system manager. All inquiries should furnish the full name of the individual and the mailing address or email address to which the reply should be mailed.

RECORD ACCESS PROCEDURES:

Same as above.

CONTESTING RECORDS PROCEDURES:

Same as above.

RECORD SOURCE CATEGORIES:

Individuals who submit initial requests and administrative appeals pursuant to the FOIA and the Privacy Act; the agency records searched in the process of responding to such requests and appeals; EEOC personnel assigned to handle such requests and appeals; and other agencies or entities that have

referred to EEOC requests concerning EEOC records.

EEOC-7**SYSTEM NAME:**

Employee Pay and Leave Records.

SYSTEM LOCATION:

All locations listed in Appendix A.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former employees of EEOC.

CATEGORIES OF RECORDS IN THE SYSTEM:

Time and attendance records; leave records (includes employee name, branch or office, pay period ending, leave and overtime used during the pay period); requests for leave (earned or advance) or leave of absence; requests for an authorization of overtime; annual attendance record (indicates name, social security number, service computation date, hours and dates worked and taken as leave, pay plan, salary and occupation code, grade, leave earned and used); thrift savings plan participation, deductions for Medicare, FICA, taxes, life, health, and long term care insurance, union contributions, charitable contributions, savings allotments and bond issuance and bond balance.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301; 44 U.S.C. 3101.

PURPOSE:

The records in this system are maintained in accordance with the requirements set forth by statutes, regulations and guidance from the Office of Personnel Management, the General Services Administration, and the Thrift Savings Board. They are maintained for the purpose of providing salaries and other benefits to EEOC employees.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used:

- a. To provide information to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.
- b. To provide a copy of an employee's Department of the Treasury Form W-2, Wage and Tax Statement, to the state, city or other local jurisdiction which is authorized to tax the employee's compensation. The record will be provided in accordance with a withholding agreement between the state, city, or other jurisdiction and the

Department of Treasury pursuant to 5 U.S.C. 5516, 5517 or 5520, or in response to a written request from an appropriate official of the taxing jurisdiction. The request must include a copy of the applicable statute or ordinance authorizing the taxation of compensation and should indicate whether the authority of the jurisdiction to tax the employee is based on place of residence, place of employment, or both.

c. To disclose copies of executed city tax withholding certificates to a city pursuant to a withholding agreement between the city and the Department of the Treasury (5 U.S.C. 5520) in response to a written request from an appropriate city official.

d. To disclose the social security number only, in the absence of a withholding agreement, to a taxing jurisdiction that has furnished this agency with evidence of its independent authority to compel disclosure of the social security number, in accordance with section 7 of the Privacy Act, 5 U.S.C. 552a note.

e. To disclose pertinent information to the appropriate federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where EEOC becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

f. To disclose to an agency in the executive, legislative, or judicial branch or the District of Columbia's Government information in connection with the hiring of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, the issuance of a license, grant, or other benefits by the requesting agency, or the lawful statutory, administrative, or investigative purpose of the agency to the extent that the information is relevant and necessary to the requesting agency's decision.

g. To disclose to an authorized appeal grievance examiner, formal complaints examiner, administrative judge, equal employment opportunity investigator, arbitrator, or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee.

h. To disclose to the Office of Personnel Management in accordance with the agency's responsibility for evaluation and oversight of Federal personnel management.

i. To disclose to officers and employees of the Department of the Interior in connection with

81124

Federal Register / Vol. 81, No. 222 / Thursday, November 17, 2016 / Notices

administrative services provided to this agency under agreement with DOI.

j. To disclose information to another federal agency, to a court, or to a party in litigation before a court or in an administrative proceeding being conducted by a federal agency when the government is a party to the judicial or administrative proceeding.

k. To disclose information to the Office of Child Support Enforcement, Administration for Children and Families, Department of Health and Human Services Federal Parent Locator system (FPLS) and Federal Tax Offset system for use in locating individuals and identifying their income sources to establish paternity, establish and modify orders of support and for enforcement action.

l. To disclose information to the Office of Child Support Enforcement for release to the Social Security Administration for verifying social security numbers in connection with the operation of the FPLS by the Office of Child Support Enforcement.

m. To disclose information to the Office of Child Support Enforcement for release to the Department of Treasury for purposes of administering the Earned Income Tax Credit Program (Section 32, Internal Revenue Code of 1986) and verifying a claim with respect to employment in a tax return.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Disclosures may be made from this system to consumer reporting agencies as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Stored electronically and in file folders.

RETRIEVABILITY:

Indexed by an assigned employee code.

SAFEGUARDS:

Access to these records is limited to employees whose official duties require such access.

RETENTION AND DISPOSAL:

The records are destroyed after three years.

SYSTEM MANAGER AND ADDRESS:

Director of each Commission Office (See Appendix A).

NOTIFICATION PROCEDURE:

Inquiries concerning this system of records should be addressed to the system manager. It is necessary to furnish the following information: (1) Name and (2) mailing address to which the response is to be sent.

RECORD SOURCE CATEGORIES:

Official personnel folder, data submitted by employees and data submitted by the offices where the individuals are or were employed.

EEOC-8

SYSTEM NAME:

Employee Travel and Reimbursement Records.

SYSTEM LOCATION:

All locations listed in Appendix A.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

Includes travel orders, travel vouchers, records of travel advances, amounts owed the agency by employees for travel and other purposes, amounts payable to the employee for travel and other purposes, payments made to the employees for travel and other reimbursable transactions, and a record of the difference between the cost of official travel as estimated in the travel order and the amount actually expended by the employee.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

31 U.S.C. 3512, 44 U.S.C. 3101.

PURPOSE:

These records are maintained in accordance with the General Service Administration's regulations for the purpose of allowing EEOC employees to travel for official business and reimbursing travel expenses.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used:

a. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where EEOC becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. To disclose to an agency in the executive, legislative, or judicial branch or the District of Columbia's Government, information in connection with the hiring of an employee, the

issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, the issuance of a license, grant, or other benefits by the requesting agency, or the lawful statutory, administrative, or investigative purpose of the agency to the extent that the information is relevant and necessary to the requesting agency's decision.

c. To disclose to an authorized appeal grievance examiner, formal complaints examiner, administrative judge, equal employment opportunity investigator, arbitrator, or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee.

d. To disclose to the Office of Personnel Management in accordance with the agency's responsibility for evaluation and oversight of Federal personnel management.

e. To disclose to officers and employees of the Department of the Interior in connection with administrative services provided to this agency under agreement with DOI.

f. To disclose information to another federal agency, to a court, or to a party in litigation before a court or in an administrative proceeding being conducted by a federal agency when the government is a party to the judicial or administrative proceeding.

g. To provide information to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Disclosures may be made from this system to consumer reporting agencies as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Stored on prepared forms and electronically.

RETRIEVABILITY:

Indexed alphabetically by name and/or chronologically by event and name. Access to and use of these records is limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Files are stored electronically and in standard cabinets, safes, and secured rooms. Access to electronic records is limited,

through use of user names and passwords, to those whose official duties require access.

RETENTION AND DISPOSAL:

These records are destroyed in accordance with GSA General Records Schedule 2.

SYSTEM MANAGER AND ADDRESS:

Director, Finance and Systems Services Division, Office of the Chief Financial Officer, EEOC, 131 M Street NE., Washington, DC 20507.

NOTIFICATION PROCEDURE:

Employees of the Commission wishing to know whether information about them is maintained in this system of records should address inquiries to the Director of the Office where employed (see Appendix A). The individual should provide his or her full name, date of birth, and mailing address.

RECORD ACCESS PROCEDURES:

Same as above.

CONTESTING RECORD PROCEDURES:

Same as above.

RECORD SOURCE CATEGORIES:

Bills, receipts, and claims presented by employees and original data generated by the Commission.

EEOC-9

SYSTEM NAME:

Claims Collection Records.

SYSTEM LOCATION:

These records are located in the Finance and Systems Services Division, Office of Chief Financial Officer, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Any individual who is indebted to the United States as a result of his or her interaction or financial activities with the Commission or another federal agency including, but not limited to, any current or former Commission employee.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains:
Debtor Files. These files contain information and evidence on the identity and location of the individual who is subject to a claim, the origin and amount of the indebtedness, decisions and determinations regarding a claim, actions taken to collect a claim, and the results of those actions. Depending on the status of a claim, a case file may

include such records as documents evidencing indebtedness, written demands for payment, required notices, financial statements, medical disability statements, agency investigative reports, credit reports, written agreements for payment, intra-agency and inter-agency memoranda of consultation and opinion on the collection action, documentation resulting from a hearing, requests for waiver, requests for reconsideration, written determinations and decisions, certifications of indebtedness by this or another agency, counterclaims, judgments, and documents evidencing payment or compromise of the debt.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301, 5514, 5522, 5584, 5705, 5724(f); 15 U.S.C. 1692; 26 U.S.C. 6331; 31 U.S.C. 3701, 3702, 3711, 3716, 3717, 3718, 3719; 44 U.S.C. 3101; 4 CFR parts 91-93, 101-105.

PURPOSE:

This system is maintained for the purpose of collecting debts owed the United States by individuals as a result of their interaction with the Commission or another federal agency. The debts are collected in accordance with the Commission's regulatory debt collection procedures, which include salary offset, administrative offset, Federal income tax refund offset, and wage garnishment.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used:

a. To disclose information to appropriate officials and employees of the Department of Justice for the purposes of litigation and forced collection on administratively uncollected debts.

b. To disclose information to appropriate officials of the Department of the Treasury and the Office of Management and Budget to provide reports on debt collection activities.

c. To disclose information to another federal agency for the purpose of collecting a debt owed to the Commission by an individual through EEOC's debt collection procedures undertaken by the other agency upon proper certification or evidence of the debt owed from the Commission.

d. To disclose information to another federal agency for the purpose of collecting a debt owed to that agency by an individual through EEOC's debt collection procedures undertaken by the Commission upon proper certification or evidence of the debt owed from the other agency.

e. To disclose a debtor's name and identification number to the Secretary of the Treasury or his or her designee for the purpose of obtaining the debtor's mailing address from the IRS.

f. To provide information to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

g. To disclose pertinent information to the appropriate federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where EEOC becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

h. To disclose to an agency in the executive, legislative, or judicial branch or the District of Columbia's government in response to its request, or at the initiation of the agency maintaining the records, information in connection with the hiring of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, the issuance of a license, grant, or other benefit by the requesting agency, or the lawful statutory, administrative, or investigative purpose of the agency to the extent that the information is relevant and necessary to the requesting agency's decision.

i. To disclose to officers and employees of the Department of the Interior Business Center, in connection with administrative services provided to this agency under agreement with DOI.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

These records are maintained in file folders and electronically.

RETRIEVABILITY:

These records are indexed by the name of the individual.

SAFEGUARDS:

Records are maintained and stored in file cabinets in a secured area and electronically to which only authorized personnel have access. Access to and use of these records is limited to those persons whose official duties require such access.

RETENTION AND DISPOSAL:

Individual case files are usually retained for two years after the claim is collected. Case records on individuals whose delinquent debts are reported to consumer reporting agencies are

81126

Federal Register / Vol. 81, No. 222 / Thursday, November 17, 2016 / Notices

retained indefinitely. Other case files may be maintained for a period up to ten years. IRS Mailing Address Index on any individual is not maintained beyond six years.

SYSTEM MANAGER AND ADDRESS:

Director, Finance and Systems Services Division, Office of Chief Financial Officer Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507.

NOTIFICATION PROCEDURES:

Under the Debt Collection Act, individuals are notified if claims collection records are maintained on them in accordance with statutory procedures for debt collection. Individuals may also contact the System Manager in order to obtain notification of claims collection records on themselves.

Individuals must provide their full names under which records may be maintained, and a mailing address to which a reply should be sent.

RECORD ACCESS PROCEDURES:

Same as above.

CONTESTING RECORD PROCEDURES:

Same as above.

RECORD SOURCE CATEGORIES:

Information in this system of records is provided by or from:

- a. The individual on whom the record is maintained;
- b. Other Federal agencies;
- c. Personnel, payroll, travel records, contract records, or other records;
- d. Administrative hearings;
- e. Court records.

EEOC-10**SYSTEM NAME:**

Grievance Records.

SYSTEM LOCATION:

These records are located in the Office of the Chief Human Capital Officer, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507, and in other headquarter offices and offices in the field where the grievances were filed (see Appendix A).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current or former EEOC employees who have submitted grievances to the EEOC, or pursuant to a negotiated procedure.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system contains all documents related to the grievance, including statements of witnesses, reports of

interviews and hearings, examiners' findings and recommendations, a copy of the original and final decision, and related correspondence and exhibits. This system includes files and records of internal grievance and arbitration systems that EEOC has or may establish through negotiations with recognized labor organizations.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301; 44 U.S.C. 3101; 5 U.S.C. 7121.

PURPOSE:

These records result from EEOC employees' grievances, filed under the Commission's administrative grievance procedures or the formal grievance procedures contained in section 7121 of the Civil Service Reform Act.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used:

a. To disclose information to any source from which additional information is requested in the course of processing a grievance, to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and identify the type of information requested.

b. To disclose pertinent information to the appropriate federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where EEOC becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

c. To disclose to an agency in the executive, legislative, or judicial branch or the District of Columbia's government, information in connection with the hiring of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, the issuance of a license, grant, or other benefits by the requesting agency, or the lawful statutory, administrative, or investigative purpose of the agency to the extent that the information is relevant and necessary to the requesting agency's decision.

d. To disclose information to another federal agency, to a court, or to a party in litigation before a court or in an administrative proceeding being conducted by a federal agency when the government is a party to the judicial or administrative proceeding.

e. To provide information to a congressional office from the record of

an individual in response to an inquiry from that congressional office made at the request of that individual.

f. To disclose to an authorized appeal grievance examiner, formal complaints examiner, administrative judge, equal employment opportunity investigator, arbitrator, or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee.

g. To disclose in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

h. To provide information to officials of labor organizations recognized under the Civil Service Reform Act when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting work conditions.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

These records are maintained in file folders and electronically.

RETRIEVABILITY:

These records are retrieved by grievance numbers and the names of the individuals on whom they are maintained.

SAFEGUARDS:

These records are maintained in lockable metal filing cabinets to which only authorized personnel have access. Access to electronic records is limited, through use of usernames and passwords, to those whose official duties require access.

RETENTION AND DISPOSAL:

These records are shredded or burned 3 years after closing the case.

SYSTEM MANAGER AND ADDRESS:

If the grievance is pending at or was never raised beyond the Step 1 or Step 2 level, the system manager is the office director, administrative officer, or district resource manager. (See Appendix A.) For grievances that were raised beyond Step 2, the system manager is the Chief Human Capital Officer, EEOC, 131 M Street NE., Washington, DC 20507.

NOTIFICATION PROCEDURES:

It is required that individuals submitting grievances be provided a copy of the record under the grievance process. They may, however, contact the agency personnel or designated office where the action was processed regarding the existence of such records

regarding them. They must furnish the following information for their records to be located and identified: (a) Name; (b) approximate date of closing of the case and kind of action taken; (c) organizational component involved.

RECORDS ACCESS PROCEDURES:

Same as above.

CONTESTING RECORD PROCEDURES:

Same as above.

RECORD SOURCE CATEGORIES:

Information in this system of records is provided:

- a. By the individual on whom the record is maintained;
- b. By testimony of witnesses;
- c. By agency officials;
- d. From related correspondence from organizations or persons.

EEOC-11**SYSTEM NAME:**

Records of Adverse Actions Against Nonpreference Eligibles in the Excepted Service.

SYSTEM LOCATION:

These records are located in Office of Chief Human Capital Officer, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507 or in the headquarters and offices in the field in which the actions have been taken.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current or former nonpreference-eligible, excepted service Equal Employment Opportunity Commission (EEOC) employees against whom an adverse action has been proposed or taken and who have not completed two years of current and continuous service in the same or similar positions. [This system covers only those adverse action files not covered by OPM/GOVT-3.]

CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains records and documents on the processing of adverse actions for employees who are nonpreference eligible in the excepted service and who do not have two years of continuous service in their positions. The records include copies of the notice of proposed action, materials relied on by the agency to support the reasons in the notice, replies by the employee, statements of witnesses, reports, and agency decisions.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

44 U.S.C. 3101.

PURPOSE:

These records result from the proposal, processing, and

documentation of adverse actions taken by the Commission against nonpreference-eligible, excepted service EEOC employees.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in records may be used:

a. To provide information to officials of labor organizations recognized under 5 U.S.C. Chapter 71 when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting work conditions.

b. To disclose pertinent information to the appropriate federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, when the EEOC becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

c. To disclose information to any source from which additional information is requested for processing any of the covered actions or in regard to any appeal or administrative review procedure, to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and identify the type of information requested.

d. To disclose information to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, or the classifying of jobs, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

e. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

f. To disclose information to another federal agency, to a court, or to a party in litigation before a court or in an administrative proceeding being conducted by a federal agency when the government is a party to the judicial or administrative proceeding.

g. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial, or administrative proceeding.

h. To disclose to an authorized appeal grievance examiner, formal complaints examiner, administrative judge, equal employment opportunity investigator, arbitrator, or other duly authorized official engaged in the investigation or

settlement of a grievance, complaint, or appeal filed by an employee.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, SAFEGUARDING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

These records are maintained in file folders and electronically.

RETRIEVABILITY:

These records are retrieved by the names of the individuals on whom they are maintained.

SAFEGUARDS:

These records are maintained in locked metal filing cabinets to which only authorized personnel have access. Access to electronic records is limited, through use of usernames and passwords, to those whose official duties require access.

RETENTION AND DISPOSAL:

Records documenting an adverse action are disposed of 4 years after the closing of the case.

SYSTEM MANAGER AND ADDRESS:

Chief Human Capital Officer, and Directors of offices in the field (see Appendix A).

NOTIFICATION PROCEDURES:

Individuals receiving notice of a proposed action are provided access to all documents supporting the notice. They may also contact the personnel office where the action was processed regarding the existence of such records on them. They must furnish the following information for their records to be located and identified:

- a. Name
- b. Approximate date of closing of case and kind of action taken
- c. Organizational component involved.

RECORD ACCESS PROCEDURES:

Same as above.

CONTESTING RECORD PROCEDURES:

Same as above.

RECORD SOURCE CATEGORIES:

Information in this system of records is provided:

- a. By the individual on whom the record is maintained
- b. By witnesses
- c. By agency officials.

EEOC-12**SYSTEM NAME:**

Telephone Call Detail Records.

SYSTEM LOCATION:

Telecommunications Manager, Customer Services Management

81128

Federal Register / Vol. 81, No. 222 / Thursday, November 17, 2016 / Notices

Division, Office of Information Technology, EEOC, 131 MM Street NE., Washington DC 20507, and each office in the field listed in Appendix A.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals (generally EEOC employees) who made telephone calls from EEOC telephones, individuals who received telephone calls from, or charged to, EEOC telephones, and individuals who are assigned U.S. government phone cards by EEOC.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records relating to the use of EEOC telephones and government phone cards to make calls; records indicating the assignment of telephone numbers to employees; records relating to the location of telephones.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

44 U.S.C. 3101.

PURPOSE:

These records are maintained for the purpose of keeping an account of telephone calls made from EEOC telephones and ensuring that phone calls and card charges are made for official business only.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information from these records may be used:

- a. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.
- b. To disclose to representatives of the General Services Administration or the National Archives and Records Administration who are conducting records management inspections under the authority of 44 U.S.C. 2904 and 2906.
- c. To disclose information to another federal agency, to a court, or to a party in litigation before a court or in an administrative proceeding being conducted by a federal agency when the government is a party to the judicial or administrative proceeding.
- d. To disclose pertinent information to the appropriate federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.
- e. To disclose to an agency in the executive, legislative, or judicial branch or the District of Columbia's government

in response to its request, or at the initiation of the EEOC, information in connection with the hiring of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, the issuance of a license, grant or other benefits by the requesting agency, or the lawful statutory, administrative, or investigative purpose of the agency to the extent that the information is relevant and necessary to the requesting agency's decision.

f. To disclose to a telecommunications company providing telecommunications support to permit servicing the account.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

These records are maintained in file folders and electronically.

RETRIEVABILITY:

Records are retrieved by employee name or identification number and by name of recipient of telephone call or telephone number.

SAFEGUARDS:

Records are maintained and stored in file cabinets in a secured area to which only authorized personnel have access. Access to electronic records is limited, through use of usernames and passwords, to those whose official duties require access.

RETENTION AND DISPOSAL:

Records are disposed of as provided in the National Archives and Records Administration's General Records Schedule 12.

SYSTEM MANAGER AND ADDRESS:

Telecommunications Manager, Customer Services Management Division, Office of Information Technology, EEOC, 131M Street NE., Washington DC, 20507 and the Directors of the field offices listed in Appendix A.

NOTIFICATION PROCEDURES:

Inquiries concerning this system of records should be addressed to the system manager. It is necessary to provide the following information: (1) Name; (2) telephone number (office number if Commission employee); (3) mailing address to which response is to be sent.

RECORD ACCESS PROCEDURES:

Same as above.

CONTESTING RECORD PROCEDURES:

Same as above.

RECORD SOURCE CATEGORIES:

Telephone assignment records; call detail listings; results of administrative inquiries relating to assignment of responsibilities for placement of specific local and long distance calls. on government phone card bills

EEOC-13

SYSTEM NAME:

Employee Identification Cards.

SYSTEM LOCATION:

Operations Services Division, Office of the Chief Human Capital Officer, EEOC, 131 M Street NE., Washington DC 20507, and each of the field offices in Appendix A.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current EEOC employees, and other individuals who require regular, ongoing access to EEOC facilities or information technology systems including, but not limited to, federal employees, contractors, interns, volunteers, and individuals formerly in any of these positions. This system does not apply to occasional or short-term visitors.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records maintained on individuals issued identification cards, including Personal Identification Verification (PIV) cards, by EEOC include the following information: Full name; signature; social security number; date of birth; photograph; fingerprints; hair color; eye color; height; weight; office of assignment; telephone number; copy of background investigation form; card issue and expiration dates; personal identification number; results of background investigation; PIV request form; PIV registrar approval signature; PIV card serial number; and a list of all persons who possess current identification cards. In addition, for office locations permitting access by proximity cards, numbered proximity cards and a list of all persons with their assigned proximity card numbers, all doors controlled by the proximity cards, and all persons permitted access to each door.

AUTHORITY FOR MAINTENANCE OF SYSTEM:

44 U.S.C. 3101; 41 CFR 101-20.3. 5 U.S.C. 301; Federal Information Security Act (Pub. L. 104-106, 5113); Electronic Government Act (Pub. L. 104-347, 203); Homeland Security Presidential Directive (HSPD) 12, Policy for Common Identification Standard for Federal Employees and Contractors, August 27, 2004; and Office of Personnel Management Memorandum,

Final Credentialing Standards for Issuing Personal Identity Verification Cards under HSPD-12, July 31, 2008.

PURPOSE:

These records are maintained for the purpose of ensuring that EEOC offices and information systems are secure and that only authorized individuals have access to those offices and systems.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information from these records may be used:

a. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

b. To disclose to other government agencies and to the public whether an individual is a current employee of the EEOC.

c. To disclose information to another federal agency, to a court, or to a party in litigation before a court or in an administrative proceeding being conducted by a federal agency when the government is a party to the judicial or administrative proceeding.

d. To disclose pertinent information to the appropriate federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where EEOC becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

e. To disclose information to agency contractors who have been engaged to assist the agency in the performance of a contract or other activity related to this system of records and who need to have access to the records in order to perform their activity.

f. To notify another federal agency when, or verify whether, a PIV card is no longer valid.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

These records are maintained in paper files and in electronic media.

RETRIEVABILITY:

Records are retrieved by name, social security number, other ID number, PIV card serial number, photograph, or fingerprint.

SAFEGUARDS:

Records are maintained and stored in file cabinets in a secured area to which only authorized personnel have access. Access to electronic records is limited,

through use of usernames and passwords, to those whose official duties require access.

RETENTION AND DISPOSAL:

Records are destroyed not later than five years after the separation or transfer of the employee. In accordance with HSPD-12, PIV cards are deactivated within 18 hours of cardholder separation, loss of card, or expiration. The information on PIV cards is maintained in accordance with General Records Schedule 11, Item 4. PIV cards are destroyed by cross-cut shredding no later than 90 days after deactivation.

SYSTEM MANAGER AND ADDRESS:

Director, Operations Services Division, Office of the Chief Human Capital Officer, EEOC, 131 M Street NE., Washington DC 20507, and the Directors of the field offices listed in Appendix A.

NOTIFICATION PROCEDURES:

Inquiries concerning this system of records should be addressed to the system manager. It is necessary to provide the following information: (1) Name; (2) date of birth; and (3) mailing address to which the response is to be sent.

RECORD ACCESS PROCEDURES:

Same as above.

CONTESTING RECORD PROCEDURES:

Same as above.

RECORD SOURCE CATEGORIES:

Information contained in this system is obtained from the employee or contractor; other federal agencies; contract employer; or former employer.

EEOC-14

Reserved

EEOC-15

SYSTEM NAME:

Internal Harassment Inquiries.

SYSTEM LOCATION:

Office of the Chief Human Capital Officer, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current or former EEOC employees, contractors, applicants, interns, and volunteers who have submitted complaints or reports of harassment under EEOC Order 560.005, Prevention and Elimination of Harassment in the Workplace, and current and former EEOC employees, contractors, applicants, interns, and volunteers who have been accused of harassment under that Order.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system contains all documents related to a complaint or report of harassment, including statements of witnesses, reports of interviews, investigator's and Coordinator's findings and recommendations, final decisions and corrective action taken, and related correspondence and exhibits.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 U.S.C. 633a; 29 U.S.C. 791; 42 U.S.C. 2000e-16; 44 U.S.C. 3101; Exec. Order No. 11478, 34 FR 12985; Exec. Order No. 13087, 63 FR 30097.

PURPOSE:

These records are maintained for the purpose of conducting internal investigations into allegations of harassment brought by current or former EEOC employees, contractors, applicants, interns, and volunteers and taking appropriate action in accordance with EEOC Order 560.005.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used:

a. To disclose information as necessary to any source from which additional information is requested in the course of processing a complaint or report of harassment made pursuant to EEOC Order 560.005.

b. To disclose pertinent information to the appropriate federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, when the EEOC becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

c. To disclose information to another federal agency, to a court, or to a party in litigation before a court or in an administrative proceeding being conducted by a federal agency when the government is a party to the judicial or administrative proceeding.

d. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

e. To disclose to an authorized appeal grievance examiner, formal complaints examiner, administrative judge, equal employment opportunity investigator, arbitrator, or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee.

f. To disclose to the individual who filed the complaint or report of harassment and to the alleged harasser

81130

Federal Register / Vol. 81, No. 222 / Thursday, November 17, 2016 / Notices

the outcome of any inquiry that may have been conducted and of disciplinary and corrective steps taken.

g. To provide to officials of labor organizations recognized under the Civil Service Reform Act information to which they are statutorily entitled when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting work conditions.

h. To provide to the alleged harasser information in the event of a disciplinary hearing.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

These records are maintained in file folders and electronically.

RETRIEVABILITY:

These records are cross-indexed by the name of the individual who files a complaint or report of harassment, the name of the alleged victim of harassment, if any, and the name of the alleged harasser. The records may be retrieved by any of the above three indexes.

SAFEGUARDS:

The records are maintained in locked metal filing cabinets to which only authorized personnel have access. Access to electronic records is limited, through use of logins and passwords, to those whose official duties require access.

RETENTION AND DISPOSAL:

These records are maintained for one year after the complaint or report of harassment is closed and then transferred to the Federal Records Center where they are destroyed after three years.

SYSTEM MANAGER(S) AND ADDRESS:

Harassment Coordinator, Office of Chief Human Capital Officer, EEOC, 131 M Street NE., Washington, DC 20507.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

This system is exempt under 5 U.S.C. 552a(k)(2) from subsections (c)(3), (d), (e)(1), (e)(4)(G), (e)(4)(H), (e)(4)(I) and (f) of the Act.

EEOC-16

SYSTEM NAME:

Office of Inspector General Investigative Files.

SYSTEM LOCATION:

Office of Inspector General (OIG), Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who are subjects of investigations by the Office of Inspector General relating to the programs and operations of the Equal Employment Opportunity Commission. Subject individuals include, but are not limited to, current and former employees; current and former agents or employees of contractors and subcontractors in their personal capacity, where applicable; and other individuals whose actions affect the EEOC, its programs or operations.

CATEGORIES OF RECORDS IN THE SYSTEM:

Correspondence relating to the investigation; internal staff memoranda; copies of subpoenas issued during the investigation, affidavits, statements from witnesses, transcripts of testimony taken during the investigation, and accompanying exhibits; documents, notes, investigative notes, staff working papers, draft materials, and other documents and records relating to the investigation; opening reports, progress reports, and closing reports; video and audio recordings; and other investigatory information or data relating to the alleged or suspected criminal, civil, or administrative violations or similar wrongdoing by subject individuals.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The Inspector General Act of 1978, as amended, 5 U.S.C. App. 3.

PURPOSES:

Pursuant to the Inspector General Act of 1978, as amended, this system of records is maintained for the purpose of: (1) Documenting the conduct and outcome of investigations by the OIG and other investigative agencies regarding EEOC programs and operations; (2) reporting the results of investigations to other Federal agencies, other public authorities or professional organizations which have the authority to bring criminal prosecutions, or civil or administrative actions, or to impose other disciplinary sanctions; (3) maintaining a record of the activities which were the subject of investigations; (4) reporting investigative findings to other components of EEOC for their use in operating and evaluating their programs or operations, and in the imposition of civil or administrative sanctions; (5) coordinating relationships with other Federal agencies, state and local governmental agencies and nongovernmental entities in matters relating to the statutory responsibilities of the OIG; and (6) acting as a repository

and source for information necessary to fulfill the reporting requirements of the Inspector General Act, 5 U.S.C. App. 3.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

a. To disclose pertinent information to the appropriate federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation or order, where the EEOC becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. To disclose information to any source, private or governmental, to the extent necessary to secure from such source information relevant to and in furtherance of a legitimate OIG investigation, audit, evaluation, or other inquiry.

c. To disclose information to agencies, offices or establishments of the executive, legislative, or judicial branches of the Federal or state governments:

(1) Where such agency, office, or establishment has an interest in an individual for employment purposes, including a security clearance or determination as to access to classified information, and needs to evaluate the individual's qualifications, suitability, or loyalty to the United States Government, or access to classified information or restricted areas, or

(2) Where such agency, office, or establishment conducts an investigation of the individual for purposes of granting a security clearance, or for making a determination of qualifications, suitability or loyalty to the United States Government, or access to classified information or restricted areas, or

(3) Where the records or information in those records is relevant and necessary to a decision with regard to the hiring or retention of an employee or disciplinary or other administrative action concerning an employee.

d. To disclose information to another federal agency, to a court, or to a party in litigation before a court or in an administrative proceeding being conducted by a federal agency when the government is a party to the judicial or administrative proceeding.

e. To disclose information to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the written request of that individual.

f. To private contractors who have been retained by OIG to perform any functions or analyses that facilitate or are relevant to an OIG investigation, audit, inspection, or inquiry.

g. To disclose information to authorized officials of the Council of Inspectors General for Integrity and Efficiency (CIGIE), the Department of Justice, and the Federal Bureau of Investigation for the purpose of conducting qualitative assessment reviews of the Office of Inspector General's investigative operations.

h. To disclose information to authorized officials of the CIGIE for their preparation of reports to the President and Congress on the activities of the Inspectors General.

i. To disclose to an agency, organization or individual for the purpose of performing audit or oversight operations as authorized by law, including peer reviews, but only such information as is necessary and relevant to such audit or oversight operation.”

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Information in this system is stored manually in file folders and electronically.

RETRIEVABILITY:

The records are retrieved by the name of the subject of the investigation or by a unique control number assigned to each investigation.

SAFEGUARDS:

Information is stored in locked file cabinets in a secured space. Access to electronic records is limited through the use of logins and passwords to those whose official duties require access.

RETENTION AND DISPOSAL:

Records are held for five (5) years and then retired to the Federal Records Center.

SYSTEM MANAGER AND ADDRESS:

Inspector General, Equal Employment Opportunity Commission, P.O. Box 18858, Washington, DC 20036-8858.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Specific: Pursuant to 5 U.S.C. 552a(k)(2) the Office of Inspector General Investigative Files are exempt from subsections (c)(3), (d)(1), (d)(2) and (e)(1) of the Privacy Act.

General: Pursuant to 5 U.S.C. 552a(j)(2), investigatory materials compiled for criminal law enforcement in the Office of Inspector General Investigative Files are exempt from subsections (c)(3), (d)(1), (d)(2), (e)(1), (e)(2), and (e)(3) of the Privacy Act.

EEOC-17

SYSTEM NAME:

Defensive Litigation Files.

SYSTEM LOCATION:

External Defensive Litigation Files are located in the Office of Legal Counsel, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507. Internal Defensive Litigation Files are located in the Office of General Counsel, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who have filed civil or administrative litigation against EEOC and individuals who have given sworn testimony, affidavits, or declarations under penalty of perjury in such actions. External cases are brought by members of the public; internal cases are brought by applicants, current, and former EEOC employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains all documents related to external and internal litigation brought against the Commission. These records include:

a. Documents submitted or filed by plaintiffs, grievants, and EEO complainants to prosecute civil or administrative litigation against the EEOC, such as complaints, grievances, unfair labor practice claims, motions, and briefs.

b. Documents submitted by the EEOC to defend the action against it such as an answer to a civil complaint or a motion to dismiss or for summary judgment, and a reply to an administrative EEO complaint, grievance, or unfair labor practice.

c. Administrative determinations at issue in the litigation such as final agency EEO decisions, final grievance decisions, final decisions on personnel actions, final agency administrative dispositions of tort claims, and agency determinations under the Freedom of Information Act.

d. Discovery and investigatory materials such as witness statements, affidavits, declarations under penalty of perjury, correspondence, records, exhibits, and other documentary evidence.

e. Litigation materials, such as attorney work product, attorney notes, hearing transcripts, legal memoranda, and related correspondence and exhibits.

f. Final judgments, orders, decisions, decrees, and settlement agreements.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

44 U.S.C. 3101.

PURPOSE:

These records are maintained for the purpose of defending EEOC in litigation brought against it by current and former employees (internal files), charging parties, respondents and members of the public (external files).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used:

a. To disclose pertinent information as may be appropriate or necessary for the Commission to defend itself in a civil action or administrative proceeding, or to seek enforcement of a settlement, order, or final decision involving the same or a similar matter.

b. To provide information to a congressional office in response to an inquiry from the congressional office made at the request of a party to the administrative or civil proceeding to which the record pertains.

c. To disclose pertinent information to an appropriate federal court, agency, or administrative body responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the EEOC becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation, or in order to seek enforcement or clarification of an order or decision for or against the EEOC to which the record pertains.

d. To disclose information to another federal agency or to a court when the government is a party to the judicial or administrative proceeding.

e. To disclose, in response to an order, information that is relevant to a pending judicial or administrative proceeding.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

External defensive litigation files are maintained in a locked filing system in the Office of Legal Counsel. Internal defensive litigation files are maintained in a locked filing system in the Office of General Counsel. Information identifying existing external and internal defensive litigation files is maintained electronically.

RETRIEVABILITY:

External Defensive Litigation records are cross-indexed by name of the plaintiff, and Office of Legal Counsel reference number. Internal Defensive Litigation records are maintained by

81132

Federal Register / Vol. 81, No. 222 / Thursday, November 17, 2016 / Notices

name of plaintiff, complainant, grievant, or aggrieved individual, and by Office of General Counsel reference number. The records may be retrieved by either index.

SAFEGUARDS:

External Defensive Litigation paper records maintained at EEOC headquarters are kept in locked cabinets in the Office of Legal Counsel. Internal Defensive Litigation paper records maintained at EEOC headquarters are kept in locked cabinets in the Office of General Counsel. Access to and use of these records is limited to those persons whose official duties require such access. The premises are locked evenings, weekends, and holidays. Paper records which have been retired are maintained at the Federal Records Center. Access to electronic External and Internal Defensive Litigation records is limited through use of passwords to those whose official duties require access, input, and retrieval of information.

RETENTION AND DISPOSAL:

Two years after the date of closure of the underlying civil or administrative action (e.g., final order, decision on appeal), records pertaining to that action are retired to the Federal Records Center. Thereafter, non-permanent files are destroyed six years after the date of closure of the underlying action.

SYSTEM MANAGER(S) AND ADDRESS:

The System Manager for External Defensive Litigation files is the Assistant Legal Counsel, Advice & Litigation Division, Office of Legal Counsel, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507. The System Manager for Internal Defensive Litigation files is the Assistant General Counsel for Internal Litigation Services, Office of General Counsel, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507.

NOTIFICATION PROCEDURES:

Any person wanting to know whether this system of records contains information about him or her should contact the System Manager. Such person should provide his or her full name and mailing address to which a response is to be sent, and forum, filing date, and docket number of the action involved, if available.

RECORD ACCESS PROCEDURES:

The records described herein are compiled in reasonable anticipation of a civil action or proceeding. Pursuant to section (d)(5) of the Privacy Act of 1974,

as amended, 5 U.S.C. 552a(d)(5), an individual is precluded from access to such records.

CONTESTING RECORDS PROCEDURES:

Same as the Notification Procedures above.

RECORD SOURCE CATEGORIES:

Plaintiffs, grievants, complainants, aggrieved individuals, current and former EEOC employees.

EEOC-18**SYSTEM NAME:**

Reasonable Accommodation Records

SYSTEM LOCATION:

Office of the Chief Human Capital Officer, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former EEOC employees and applicants who have requested reasonable accommodations under the Rehabilitation Act of 1973.

CATEGORIES OF RECORDS IN THE SYSTEM:

Requests for reasonable accommodations; medical records; notes or records made during consideration of requests; decisions on requests; records made to implement or track decisions on requests.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The Rehabilitation Act of 1973, 29 U.S.C. 791; E.O. 13164.

PURPOSE:

This system is maintained for the purpose of considering, deciding, and implementing requests for reasonable accommodation made by EEOC employees and applicants.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

a. To disclose information to medical personnel to meet a bona fide medical emergency.

b. To disclose information to another Federal agency, to a court, or to a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency when the Government is a party to the judicial or administrative proceeding.

c. To disclose information to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

d. To disclose to an authorized appeal grievance examiner, formal complaints examiner, administrative judge, equal

employment opportunity investigator, arbitrator, or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Maintained in locked file cabinets and electronically.

RETRIEVABILITY:

Indexed by name of employee or applicant and office location.

SAFEGUARDS:

Files are maintained in locked cabinets. Access is restricted to EEOC personnel whose official duties require such access. Access to computerized records is limited, through use of logins and passwords, to those whose official duties require access.

RETENTION AND DISPOSAL:

These records will be maintained in the Office of the Human Capital Officer for the longer of an employee's tenure with EEOC or 5 years. Thereafter, they will be destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

Disability Program Manager, Office of the Chief Human Capital Officer, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507.

NOTIFICATION PROCEDURES:

Any person wanting to know whether this system of records contains information about him or her should contact the System Manager. Such person should provide his or her full name, position title and office location at the time the accommodation was requested, and mailing address to which a response is to be sent.

RECORD ACCESS PROCEDURES:

Same as the Notification Procedures above.

CONTESTING RECORDS PROCEDURES:

Same as the Notification Procedures above.

RECORD SOURCE CATEGORIES:

Information contained in this system is obtained from the current or former employee, the Office of the Chief Human Capital Officer, and management officials.

EEOC-19**SYSTEM NAME:**

Revolving Fund Registrations.

SYSTEM LOCATION:

Revolving Fund Division, Office of Field Programs, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who register for or attend EEOC Revolving Fund programs, courses and conferences and who purchase publications and products.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system contains the names, job titles, company, organization or agency names, business addresses and phone numbers, email addresses, any reasonable accommodation requested, and attendance or purchase dates. Some of the records may contain payment information, the industry of the company, and the size of the establishment.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

42 U.S.C. 2000e-4(k).

PURPOSE(S):

These records are maintained for the purpose of administering Revolving Fund programs and publicizing future programs.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used:

- To send mailings to registrants and attendees advertising future Revolving Fund programs.
- To provide information to a congressional office from the record of the individual in response to an inquiry from that congressional office made at the request of that individual.
- To disclose information to another federal agency, to a court, or to a party in litigation before a court or in an administrative proceeding being conducted by a federal agency when the government is a party to the judicial or administrative proceeding.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

These records are maintained electronically.

RETRIEVABILITY:

These records are indexed by the names of the registrants or attendees, by company, organization, or agency name.

SAFEGUARDS:

Access to and use of these records is limited, through use of access codes and

entry logs, to those whose official duties require access.

RETENTION AND DISPOSAL:

These records are kept indefinitely.

SYSTEM MANAGER AND ADDRESS:

Director, Revolving Fund Division, Office of Field Programs, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507.

NOTIFICATION PROCEDURE:

Inquiries concerning this system of records should be addressed to the system manager. All inquiries should furnish the full name of the individual and the mailing address to which the reply should be mailed.

RECORD ACCESS PROCEDURES:

Same as above.

CONTESTING RECORDS PROCEDURES:

Same as above.

RECORD SOURCE CATEGORIES:

Information contained in this system is obtained from the registrant or attendee.

EEOC-20**SYSTEM NAME:**

RESOLVE Program Records.

SYSTEM LOCATION:

RESOLVE Program, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former EEOC employees who request alternative dispute resolution during the counseling or investigative process of their EEO complaints against EEOC, as well as EEOC employees who contact the RESOLVE program for alternative dispute resolution of disputes occurring in their EEOC employment.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system contains the records generated in the course of receiving and attempting to resolve disputes brought to the RESOLVE program, including, as appropriate, intake interview notes, mediation scheduling notices, the mediator's outcome form, and settlement agreements.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 571-574; 44 U.S.C. 3101; 29 CFR part 1614.

PURPOSE(S):

These records are maintained for the purpose of administering EEOC's

RESOLVE Program, which provides a forum for the informal resolution of a variety of workplace disputes as an alternative to the formal procedures that employees traditionally use to resolve disputes.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used:

- To disclose pertinent information to the appropriate federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, when the EEOC becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.
- To provide information to a congressional office from the record of the individual in response to an inquiry from that congressional office made at the request of that individual.
- To disclose information to another federal agency, to a court, or to a party in litigation before a court or in an administrative proceeding being conducted by a federal agency when the government is a party to the judicial or administrative proceeding.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

These records are maintained in file folders and electronically.

RETRIEVABILITY:

These records are indexed by the names of the employee.

SAFEGUARDS:

The records are maintained in locked metal filing cabinets to which only authorized personnel have access. Access to and use of electronic records is limited, through use of logins and passwords, to those whose official duties require access.

RETENTION AND DISPOSAL:

These records are maintained for one year after the complaint or dispute matter brought to RESOLVE is closed and then transferred to the Federal Records Center where they are destroyed after three years.

SYSTEM MANAGER AND ADDRESS:

Chief Mediation Officer, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507.

NOTIFICATION PROCEDURE:

Inquiries concerning this system of records should be addressed to the

81134

Federal Register / Vol. 81, No. 222 / Thursday, November 17, 2016 / Notices

system manager. All inquiries should furnish the full name of the individual and the mailing address to which the reply should be mailed.

RECORD ACCESS PROCEDURES:

Same as above.

CONTESTING RECORDS PROCEDURES:

Same as above.

RECORD SOURCE CATEGORIES:

Information contained in this system is obtained from the current or former employee, the Office of Equal Opportunity, the Office of the Chief Human Capital Officer, management officials, union officials, and the mediator.

EEOC-21**SYSTEM NAME:**

Emergency Management Records.

SYSTEM LOCATION:

Headquarters, District, Field, Area, and Local Offices may maintain emergency contact files. The Office of the Chief Financial Officer maintains emergency management and continuity of operations (COOP) files. The Office of the Chief Human Capital Officer maintains the orders of succession, which are part of the COOP files.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

EEOC employees, contractors, and other governmental and non-governmental persons essential to carrying out emergency activities.

CATEGORIES OF RECORDS IN THE SYSTEM:

The records, composed of emergency notification rosters and files, emergency contact information, and COOP files, may contain the following personal information: Name; office, cellular and home telephone numbers; home address; email address; primary contact name, relationship, address, cellular, work and home telephone numbers; alternate contact's name, relationship, address, cellular, work and home telephone numbers. Each office may collect a different set of information. System records may include special needs information such as medical, mobility, and transportation requirements for individuals. Additional information may include official titles and emergency assignments.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301; 44 U.S.C. 3101; Executive Order 12565, Assignment of Emergency Preparedness Responsibilities, (Nov. 18, 1989); Presidential Decision Directive 67,

Ensuring Constitutional Government and Continuity of Government Operations.

PURPOSE:

To maintain current information on EEOC employees and other persons covered by this system to allow persons with emergency management responsibilities to notify or contact them about conditions that require their urgent assistance or attention during an emergency.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used:

a. To disclose pertinent information to the appropriate federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where EEOC becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. To disclose information to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

c. To disclose information to an expert, consultant or contractor in the performance of a federal government duty involving EEOC emergency management.

d. To disclose information about an individual during an emergency in order to locate or contact that individual.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

These records are maintained in paper files and in electronic media.

RETRIEVABILITY:

Records are retrieved by name, organization, or location.

SAFEGUARDS:

Records are maintained and stored in file cabinets in a secured area to which only authorized personnel have access. Access to electronic records is limited through use of logins and passwords for those whose official duties require access.

RETENTION AND DISPOSAL:

Records are destroyed one year after termination of the employment relationship or contract termination.

SYSTEM MANAGER(S) AND ADDRESS:

Headquarters, District, Field, Area, and Local Office Directors. Addresses listed in Appendix A.

NOTIFICATION PROCEDURES:

Inquiries concerning this system of records should be made to the system manager. It is necessary to provide the name of the individual and the mailing address to which the response should be sent.

RECORD ACCESS PROCEDURES:

Same as above.

CONTESTING RECORD PROCEDURES:

Same as above.

RECORD SOURCE CATEGORIES:

Information in this system is obtained from the individuals themselves, their supervisors or office.

EEOC-22**SYSTEM NAME:**

EEOC Personnel Security Files.

SYSTEM LOCATION:

Office of the Chief Human Capital Officer, Operations Services Division, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

EEOC employees, applicants, former employees, interns, volunteers, and contractors.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name, former names, birth date, birth place, social security number, home address, telephone numbers, employment history, residential history, education and degrees earned, names of associates and references and their contact information, citizenship, names of relatives, citizenship of relatives, names of relatives who work for the federal government, criminal history, drug use, financial information, fingerprints, summary report of investigation, results of suitability decisions, requests for appeal, witness statements, investigator's notes, tax return information, credit reports, security violations (including circumstances of violation and agency action taken).

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 3101; 5 CFR parts 731, 732, and 736; Executive Orders 10450, 10865, 12333, 12356, and 13467; Homeland Security Presidential Directive 12 (HSPD 12), Policy for a Common Identification Standard for Federal Employees and Contractors,

August 27, 2004; and Office of Personnel Management Memorandum, Final Credentialing Standards for Issuing Personal Identity Verification Cards under HSPD-12, July 31, 2008.

PURPOSE:

The records in this system are used to document and support decisions regarding the suitability, eligibility, and fitness for service of applicants for EEOC employment and contract positions, including criminal background screening for interns, or volunteers, to the extent their duties require access to federal facilities, information, systems, or applications. The records may be used to document security violations and supervisory actions taken.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

- a. To provide information to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.
- b. Except as noted on Standard Forms 85, 85P, and 86, to disclose pertinent information to the appropriate federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where EEOC becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.
- c. To disclose information to another federal agency, to a court, or to a party in litigation before a court or in an administrative proceeding being conducted by a federal agency when the government is a party to the judicial or administrative proceeding.
- d. To disclose information to any source or potential source from which information is requested in the course of an investigation concerning the retention of an employee or other personnel action (other than hiring), to the extent necessary to identify the individual, inform the source of the nature and purpose of the investigation, and to identify the type of information requested.
- e. To disclose information to employees of contractors who have been engaged by EEOC to perform an activity related to suitability, eligibility, and fitness for service of EEOC applicants and employees.

POLICIES AND PRACTICE FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

These records are maintained in paper files and in electronic media.

RETRIEVABILITY:

Background investigation files are retrieved by name, social security number, or fingerprint.

SAFEGUARDS:

Records are maintained and stored in file cabinets in a secured area to which only authorized personnel have access. Access to electronic records is limited through use of logins and passwords to those whose official duties require access.

RETENTION AND DISPOSAL:

These records are destroyed upon notification of death or not later than five years after separation or transfer of employee to another agency or department.

SYSTEM MANAGER AND ADDRESS:

Director, Operations Services Division, Office of the Chief Human Capital Officer, EEOC, 131 M Street NE., Washington, DC 20507.

NOTIFICATION PROCEDURE:

Inquiries concerning this system of records should be addressed to the system manager. It is necessary to provide the following information: (1) Name; (2) date of birth; and (3) mailing address to which response is to be sent.

RECORDS ACCESS PROCEDURES:

Same as above.

CONTESTING RECORD PROCEDURES:

Same as above.

RECORD SOURCE CATEGORIES:

Information is obtained from a variety of sources, including the employee, contractor or applicant via use of the SF-85, SF-85P, or SF-86 and personal interviews; employers' and former employers' records; FBI criminal history records and other databases; financial institutions and credit reports; interviews of witnesses, such as neighbors, friends, co-workers, business associates, teachers, landlords, or family members; tax records; and other public records. Security violation information is obtained from a variety of sources, such as guard reports, security inspections, witnesses, supervisor's reports, audit reports.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE PRIVACY ACT:

This system of records is exempt in accordance with 5 U.S.C. 552a(k)(5) from subsection (c)(3) and (d)(1) of the Privacy Act, but only to the extent that the information identifies witnesses promised confidentiality as a condition of providing information during the course of the background investigation.

EEOC/GOVT-1

SYSTEM NAME:

Equal Employment Opportunity (EEO) in the Federal Government Complaint and Appeal Records.

SYSTEM LOCATION:

Equal employment opportunity complaint files are maintained in an Office of Equal Employment Opportunity or other designated office of the agency or department where the complaint was filed. EEO hearing records are maintained in the EEOC office in the field that handles the hearing request (See Appendix A). EEO Appeal files (including appeals from final negotiated grievance decisions involving allegations of discrimination) and petitions for review of decisions of the Merit Systems Protection Board are maintained in the Office of Federal Operations, Equal Employment Opportunity Commission, 131 M St. NE., Washington, DC 20507. Applicants for federal employment and current and former federal employees who contact an EEO counselor, file complaints of discrimination or reprisal with their agency, file requests for hearings, or file appeals of EEO complaints, petitions for review of decisions of the Merit Systems Protection Board, or appeals of final decisions in negotiated grievance actions involving allegations of discrimination.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system of records contains information or documents compiled during the pre-complaint counseling, investigation, hearing, and appeal of complaints filed under section 717 of Title VII, section 15 of the Age Discrimination in Employment Act, section 501 of the Rehabilitation Act, and the Equal Pay Act and all appeals.

AUTHORITY FOR MAINTENANCE OF SYSTEM:

42 U.S.C. 2000e-16(b) and (c); 29 U.S.C. 204(f) and 206(d); 29 U.S.C. 633(a); 29 U.S.C. 791; Reorg. Plan No. 1 of 1978, 43 FR 19607 (May 9, 1978); Exec. Order No. 12106, 44 FR 1053 (Jan. 3, 1979).

PURPOSE:

These records are maintained for the purpose of counseling, investigating, and adjudicating complaints of employment discrimination brought by applicants and current and former federal employees against federal employers.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used:

a. To disclose pertinent information to the appropriate federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. To disclose information to another federal agency, to a court, or to a party in litigation before a court or in an administrative proceeding being conducted by a federal agency when the government is a party to the judicial or administrative proceeding.

c. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

d. To disclose to an authorized appeal grievance examiner, formal complaints examiner, administrative judge, equal employment opportunity investigator, arbitrator, or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee.

e. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

f. To disclose information to officials of state or local bar associations or disciplinary boards or committees when they are investigating complaints against attorneys in connection with their representation of a party before EEOC.

g. To disclose to a Federal agency in the executive, legislative, or judicial branch of government, in response to its request for information in connection with the hiring of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, or the lawful statutory, administrative, or investigative purpose of the agency to the extent that the information is relevant and necessary to the requesting agency's decision.

h. To disclose information to employees of contractors engaged by an agency to carry out the agency's responsibilities under 29 CFR part 1614.

i. To disclose information to potential witnesses as appropriate and necessary to perform the agency's functions under 29 CFR part 1614.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

These records are maintained in file folders and electronically.

RETRIEVABILITY:

These records are indexed by the names of the individuals on whom they are maintained.

SAFEGUARDS:

Access to and use of these records are limited to those persons whose official duties require such access.

RETENTION AND DISPOSAL:

These records are maintained for one year after resolution of the case and then transferred to the Federal Records Center where they are destroyed after three years.

SYSTEM MANAGER(S) AND ADDRESS:

Within the agency or department where the complaint of discrimination was filed, the system manager is the Director of the Office of Equal Employment Opportunity or other official designated as responsible for the administration and enforcement of equal employment opportunity laws and regulations within the agency or department.

Where an individual has requested a hearing, the system manager of hearing records is the Director of the Office of Field Programs, 131 M Street NE., Washington, DC 20507.

Where an EEO complaint or final negotiated grievance decision has been appealed to EEOC or an individual has petitioned EEOC for review of a decision of the Merit Systems Protection Board, the system manager of the appeal or petition file is the Director, Office of Federal Operations, 131 M Street NE., Washington, DC

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to subsection (k)(2) of the Privacy Act, 5 U.S.C. 552a(k)(2), this system of records is exempt from subsections (c)(3), (d), (e)(1), (e)(4)(G), (e)(4)(H), (e)(4)(I) and (f) of the Act.

Appendix A

U.S. EEOC Albuquerque Area Office, 505 Marquette Avenue NW., Suite 900—9th Floor, Albuquerque, New Mexico 87102—2158

U.S. EEOC Atlanta District Office, Sam Nunn Atlanta Federal Center, 100 Alabama Street SW., Suite 4R30, Atlanta, Georgia 30303

U.S. EEOC Baltimore Field Office, City Crescent Building, 10 South Howard Street, 3rd Floor, Baltimore, Maryland 21201—2526

U.S. EEOC Birmingham District Office, Ridge Park Place, 1130 22nd Street, Suite 2000, Birmingham, Alabama 35205

U.S. EEOC Boston Area Office, John F. Kennedy Fed Bldg., 475 Government Center, Boston, Massachusetts 02203

U.S. EEOC Buffalo Local Office, 6 Fountain Plaza, Suite 350, Buffalo, New York 14202

U.S. EEOC Charlotte District Office, 129 West Trade Street, Suite 400, Charlotte, North Carolina 28202

U.S. EEOC Chicago District Office, 500 West Madison Street, Suite 2000, Chicago, Illinois 60661

U.S. EEOC Cincinnati Area Office, John W. Peck Fed. Office Bldg., 550 Main Street, 10th Floor, Cincinnati, Ohio 45202

U.S. EEOC Cleveland Field Office, Anthony J. Celebrezze Fed. Bldg., 1240 E. 9th Street, Suite 3001, Cleveland, Ohio 44199

U.S. EEOC Dallas District Office, 207 South Houston Street, 3rd Floor, Dallas, Texas 75202—4726

U.S. EEOC Denver Field Office, 303 East 17th Avenue, Suite 510, Denver, Colorado 80203

U.S. EEOC Detroit Field Office, Patrick V. McNamara Bldg., 477 Michigan Avenue, Room 865, Detroit, Michigan 48226—9704

U.S. EEOC El Paso Area Office, 300 E. Main Dr., Suite 500, El Paso, Texas 79901

U.S. EEOC Fresno Local Office, 2300 Tulare Street, Suite 215, Fresno, California 93727

U.S. EEOC Greensboro Local Office, 2303 W. Meadowview Road, Suite 201, Greensboro, North Carolina 27407

U.S. EEOC Greenville Local Office, 301 North Main Street, Suite 1402, Greenville, South Carolina 29601

U.S. EEOC Honolulu Local Office, 300 Ala Moana Boulevard, Room 7—127, P.O. Box 50082, Honolulu, Hawaii 96850—0051

U.S. EEOC Houston District Office, Mickey Leland Bldg., 1919 Smith Street, 6th Floor, Houston, Texas 77002

U.S. EEOC Indianapolis District Office, 101 West Ohio Street, Suite 1900, Indianapolis, Indiana 46204—4203

U.S. EEOC Jackson Area Office, Dr. A. H. McCoy Fed. Bldg., 100 West Capitol Street, Suite 338, Jackson, Mississippi 39269

U.S. EEOC Kansas City Area Office, Gateway Tower II, 400 State Avenue, Suite 905, Kansas City, Kansas 66101

U.S. EEOC Little Rock Area Office, 820 Louisiana Street, Suite 200, Little Rock, Arkansas 72201

U.S. EEOC Los Angeles District Office, Roybal Fed. Bldg., 255 East Temple Street, 4th Floor, Los Angeles, California 90012

U.S. EEOC Las Vegas Local Office, 333 Las Vegas Boulevard South, Suite 8112, Las Vegas, Nevada 89101

U.S. EEOC Louisville Area Office, 600 Dr. Martin Luther King Jr., Place, Suite 268, Louisville, Kentucky 40202

U.S. EEOC Memphis District Office, 1407 Union Avenue, 9th Floor, Memphis, Tennessee 38104

U.S. EEOC Miami District Office, 100 SE 2nd Street, Suite 1500, Miami, Florida 33131

U.S. EEOC Milwaukee District Office, Reuss Fed. Plaza, 310 West Wisconsin Avenue, Suite 500, Milwaukee, Wisconsin 53203—2292

Exhibit B

2017 CONTRIBUTIONS AGREEMENT

SCHEDULE OF ARTICLES

1. SCOPE OF WORK (FIXED PRICE)
2. PERIODS OF PERFORMANCE
3. INSPECTION AND ACCEPTANCE
4. CONDUCT OF WORK
5. INSTRUMENT AMOUNT AND REQUESTS FOR PAYMENT
6. NARRATIVE REPORT
7. CRITERIA FOR PROCESSING
8. 24 CFR PART 200
9. USE OF COOPERATIVE AGREEMENT FUNDS
10. MAINTENANCE OF EFFORT
11. HUD'S SUBSTANTIAL INVOLVEMENT
12. ASSURANCES
13. USE OF CONSULTANTS
14. PUBLICATIONS AND NEWS RELEASES
15. REPRODUCTION OF REPORTS
16. FLOW DOWN PROVISIONS
17. DISPUTES
18. MAINTENANCE OF RECORDS
19. CUSTOMER SERVICE STANDARDS
20. REPORTING REQUIREMENTS
21. TRAINING
22. INITIAL CONTACT DATE
23. CHANGES LIMITING EFFECTIVENESS OF RECIPIENT'S LAW
24. FHAP AND FIRST AMENDMENT
25. TESTING

26. RELEASE OF INFORMATION WHILE COMPLAINT IS OPEN

27. SEXUAL ORIENTATION, GENDER IDENTITY, MARITAL STATUS, AND SOURCE OF INCOME CAUSE DETERMINATIONS

Appendix A: Statement of Work

Attachment A: Criteria for Processing

Attachment B: Standards for Timeliness

Attachment C: Payment Amounts for FHAP Complaint Processing

Attachment D: LOCCS Security Procedures (FHAP)

1. SCOPE OF WORK (FIXED PRICE)

The Recipient (or Agency) shall furnish all the necessary personnel, materials, services, equipment, facilities (except at otherwise specified herein) and otherwise do all things necessary for or incidental to the performance of the work set forth in the Statement of Work (SOW) and all attachments for the firm fixed price set forth herein.

2. PERIODS OF PERFORMANCE

The Recipient shall provide all services hereunder during the periods of performance.

For the **FY2017** Cooperative Agreement, the periods of performance are as follows:

Complaint Processing: July 1, 2016 – June 30, 2017

Administrative Costs, Training: October 1, 2016 – September 30, 2017

Note: While as a general rule, the cut-off day for incurring administrative costs is September 30, 2017, the GTR may change the cut-off date to several days before the end of the fiscal year if that is necessary to complete closeout documentation.

3. INSPECTION AND ACCEPTANCE

The Government Technical Monitor (GTM), if so delegated, may accomplish inspection and acceptance of all but the final products. The Government Technical Representative (GTR) shall accomplish acceptance of all final products. The GTR is identified in Block 9 of the HUD-1044.

4. CONDUCT OF WORK

During the effective period of this instrument, the GTR or GTM shall be responsible for monitoring the technical effort of the Recipient, unless the Recipient is notified in writing by the Cooperative Agreement Officer (CAO) of a replacement. The CAO is identified in Block 8a of the HUD-1044.

Only the CAO has the power to authorize deviations from this instrument, including deviations from the Statement of Work. In the event the Recipient does deviate without written approval of the CAO, such deviation shall be at the risk of the Recipient, and any costs related thereto shall be borne by the Recipient.

5. INSTRUMENT AMOUNT AND REQUESTS FOR PAYMENT

Agencies that have received Capacity Building funds for one year may be eligible for Contributions funds. Contributions funds consist of three categories: Complaint Processing; Administrative Costs; and Training. For FY2017, HUD may also provide an “Enforcement Fund” through Special Enforcement Efforts (SEE) Funding as well as Partnership funds.

- **Complaint Processing** - GTRs shall determine payment amounts based upon the FY2017 Payment Amounts for FHAP Complaint Processing, which are found at Attachment C.
- **Administrative Costs** - Agencies that acceptably process 100 cases or more shall receive 20% of the Recipient's FHAP obligation amount for the preceding year. *For agencies that process fewer than 100 cases, see FY2017 Funding Guidance for FHAP "Contributions Agencies" for the funding framework.* **Training** - All agencies are eligible to receive training funds for attendance at the National Fair Housing Training Academy (NFHTA), and other HUD-approved or HUD-sponsored training. *See FY2017 FHAP Funding Guidance for specific requirements related to training funds.*
- **Special Enforcement Effort (SEE) Funds** – HUD may make available up to \$1.0 million in SEE funds for FY 2017 through the implementation of an *Enforcement Fund*. SEE funds are funds that HUD may provide to an agency to enhance enforcement activities of the agency's fair housing law. In the event these funds are made available, agencies applying for an award from the Enforcement Fund such funds must meet the eligibility criteria set forth in 24 CFR. § 115.305(a)(1)-(a)(6).

Guidance governing the operation of the fund is being developed and will be distributed if the funds are made available. It is envisioned that that decisions on requests for distributions will be made by the FHAP Division in FHEO Headquarters on a case-by-case basis with the actual fund commitment taking place in the field as with all other FHAP funds.

- **Partnership Funds** – HUD may make available up to \$1.9 million on Partnership funds for FY2017. Specific guidance will be issued if the funds are made available.

The maximum amount for performance under the Articles of this Cooperative Agreement, Appendix, and Attachments, is the total amounts of all categories of Contributions funds (*i.e.*, Complaint Processing, Administrative Costs, and Training (as well as SEE and Partnership funds if such funds are made available). Draw-downs are permitted at the discretion of the GTR. Complete draw-downs of the total amount obligated for Complaint Processing funds shall be permitted at any point after June 30, 2017, and before September 30, 2017. Payment is subject to withholding if the CAO determines that the Recipient is not complying with all terms of the Cooperative Agreement, the Appendix, and all Attachments hereto.

6. NARRATIVE REPORT

A Narrative Report describing activities undertaken during the periods of performance pursuant to which payment is being requested is required. The Narrative Report shall include a listing of complaints acceptably processed, including the name of complainant, respondent, and date closed, type of closure, date referred to legal for enforcement action, information on investigative and conciliation techniques, and descriptions of all activities undertaken to justify all administrative closures. This list must demonstrate that the agency receives and processes a reasonable number of complaints cognizable under the Fair Housing Act, as required in 24 CFR § 115.206(e)(7). The Narrative Report shall also include a description of outreach activities undertaken in support of fair

housing case processing to educate the public on fair housing rights and responsibilities. The GTR/GTM should verify that the Recipient is undertaking the education and outreach activities identified. If the Recipient meets the requirements outlined in the *FY2017 FHAP Funding Guidance*, remaining funds may be used to undertake the fair housing education and outreach activities.

7. CRITERIA FOR PROCESSING

The Criteria for Processing are the standards by which HUD determines whether a complaint, cognizable under the Fair Housing Act and processed by the Recipient, warrants reimbursement with FHAP funds. The Criteria for Processing are incorporated as Attachment A.

8. 24 CFR PART 200

The Administrative Requirements for Grants and Cooperative Agreements (2 C.F.R. part 200) are hereby incorporated by reference. The Agency must be familiar with these requirements and verify to the GTR/GTM that the Recipient has a copy on file. A copy of Part 200 may be obtained from your GTR/GTM.

9. USE OF COOPERATIVE AGREEMENT FUNDS AND NO CO-MINGLING

The Recipient is entitled to receive the fixed amount identified in Block 14 of the HUD-1044 for satisfactory completion of the work to be performed, regardless of costs incurred. FHAP funds must be used for the purpose that HUD provided the funds including the processing of complaints cognizable under the Fair Housing Act, training under the Fair Housing Act and the state or local fair housing law, administrative costs associated with fair housing complaint processing, creation and maintenance of data and information systems, and the development and maintenance of fair housing education and outreach projects. The Recipient must segregate FHAP funds from the Recipient's and the state or local government's other funds.

10. MAINTENANCE OF EFFORT

The Recipient must spend at least 20 percent of its total annual budget on fair housing activities if it enforces antidiscrimination law(s) other than a fair housing law. The term "total annual budget" means the entire budget assigned by the jurisdiction to the agency for enforcing and administering antidiscrimination laws, but does not include FHAP funds.

Maintenance of effort also means that the Recipient shall not unilaterally reduce the level of financial resources currently committed to fair housing. Budget and staff reductions occasioned by legislative action outside the control of the Recipient will not, alone, result in a determination of ineligibility. However, HUD will take such actions into consideration in assessing the ongoing viability of a Recipient's fair housing program.

11. HUD'S SUBSTANTIAL INVOLVEMENT

- A. HUD intends to have substantial involvement in the review and approval of all aspects of the work to be carried out as a result of an award under this Agreement.
- B. Anticipated substantial involvement may include, but is not necessarily limited to, the following:

1. Review and guidance during and upon completion of cases cognizable under the Fair Housing Act;
2. Requests for additional information on cases to provide clarification or for completeness of a case investigation or file;
3. Development and presentation of national and regional office fair housing investigation and conciliation training;
4. Participation in the development and presentation of in-house investigation and conciliation training;
5. Participation and approval of education and outreach programs or materials;
6. Provision of appropriate directives and guidance for case processing;
7. Assistance in the investigation, conciliation, and/or enforcement of fair housing cases cognizable under the Fair Housing Act;
8. Requests for updates on the final status of cause determinations; and
9. Review and analysis of agency's fair housing law for determinations of continued substantial equivalence to the Fair Housing Act.

12. ASSURANCES

As a condition for the receipt of FHAP funds, the Recipient assures HUD that it will:

- A. Provide a drug-free workplace;
- B. Comply with the provision of the Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328) which limits the political activities of employees whose principle employment activities are funded in whole or part with Federal funds;
- C. Establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain;
- D. Comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Sections 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F);
- E. Comply with all federal nondiscrimination laws including, but not necessarily limited to: (a) Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin by recipients of federal financial assistance (b) Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex by recipients of federal financial assistance ; (c) Section 504 of the Rehabilitation Act of

1973, which prohibits discrimination on the basis of disability by recipients of federal financial assistance, and (d) the Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age by recipients of federal financial assistance;

- F. Comply with all applicable requirements of federal laws, executive orders, regulations, and policies governing this program; and
- G. Comply with the requirements of the Resource Conservation and Recovery Act which mandates that state agencies using federal funds for procurement programs give preference to products containing recycled materials when purchasing specific products identified in guidelines developed by the Environmental Protection Agency (40 CFR 247-253).

13. USE OF CONSULTANTS

Salary payments to consultants under this instrument shall not exceed the equivalent of the maximum daily rate paid to level IV of the Executive Schedule, as evidenced by current pay vouchers.

14. PUBLICATIONS AND NEWS RELEASES

A. Definition. For the purpose of this clause, “publication” includes:

- (1) Any document containing information for public consumption;
- (2) The act of, or any act that may result in, disclosing information to the public; or
- (3) Any products resulting from the education and outreach efforts of the Recipient that are planned to be made available to the public through dedication, assignment by the Government, or other such means as HUD shall determine.

B. Government Ownership of Official Products of Work

All interim and final reports and information, data analyses, special methodology, findings, and their related documents and work products, including reports, work sheets, survey instruments, computer tapes, and any other physical materials and products produced directly under the SOW of this instrument are considered Official Products of Work, owned by the U.S. Government and held for the benefit of the public.

C. Publication of Official Products of Work

Official Products of Work, quotations there from, paraphrasing, or disclosures of interim findings may not be published without the approval of the GTR for a period of sixty (60) days after acceptance of the product by the GTR. Thereafter, the Recipient shall be free to publish without HUD approval.

D. Acknowledgement and Disclaimer

All Official Products of Work, or any part thereof, and any Independent Products and Special Products arising out of this instrument, when published by Recipient or other participants in the work, shall contain the following acknowledgment and disclaimer:

“The work that provided the basis for this publication was supported by funding under a Cooperative Agreement with the U.S. Department of Housing and Urban Development. The substance and findings of the work are dedicated to the public. The author and publisher are solely responsible for the accuracy of the statements and interpretations contained in this publication. Such interpretations do not necessarily reflect the views of the Government.”

E. Notice of News Release and Public Announcements

Copies of all press releases, formal announcements, and other planned, written issuances containing news or information concerning this instrument that may be made by the Recipient or its staff, or any subcontractor or other person or organization participating in the work of this instrument shall be provided to the GTR at the earliest possible time. News releases and other public announcements may not disclose any interim finding or quote or paraphrase any part of any Official Product of Work without complying with paragraph D above, entitled Acknowledgement and Disclaimer.

The Recipient agrees that no news releases or public announcements involving FHAP funded activities will be released to the public without prior HUD approval. The Recipient further agrees that it will submit any and all press releases/news announcements, studies and/or other products developed with FHAP funds to the GTR for review and approval of at least two weeks prior to its release, unless HUD agrees to waive the two-week submission requirements. Publication flyers, and other routine documents previously approved by the GTR and/or the Department, may be published without further HUD approval.

15. REPRODUCTION OF REPORTS

In accordance with Government Printing and Binding Regulations, reproduction of reports, data or other written materials, if required herein, is authorized, provided that the materials produced do not exceed 5,000 production units of any page and the items consisting of multiple pages do not exceed 25,000 production units in aggregate.

16. FLOW DOWN PROVISIONS

The Recipient shall include provisions of this instrument in all contracts of employment with persons who perform any part of the work under this instrument, and with all subcontractors and other persons or organizations participating in any part of the work under this instrument. There shall be provisions for a further flow down of such requirements to each sub-tier of employees and subcontractors to the extent feasible. If the Recipient subcontracts to a public or private organization any activity for which it receives FHAP funds, it must ensure in writing that the organization is complying with all relevant civil rights laws including: (a) Title VI of the Civil Rights Act of 1964; (b) Title IX of the Education Amendments of 1972, as amended; (c) Section 504 of the Rehabilitation Act of 1973; and (d) the Age Discrimination Act of 1975.

17. DISPUTES

During performance of the instrument, disagreements may arise between the Recipient and the GTR on various issues, such as the acceptability of complaints forwarded for reimbursement. If a dispute arises, the CAO shall be the final authority on the matter and shall prepare a final decision, taking into account all facts and documentation presented. The CAO's decision shall be mailed, emailed, faxed, or telephonically provided to the Recipient.

18. MAINTENANCE OF RECORDS

The GTR and CAO are to maintain all appropriate records relating to the implementation of this cooperative agreement for a period of 5 years for the GTR files and a period of 7 years for the CAO files. The files for the CAO are to be kept in a secure place and should be accessible to others only with the CAO's permission. After 7 and 5 years respectively, the records may be archived at the records center.

The Recipient agrees to maintain records demonstrating its financial administration of FHAP funds. The Recipient also agrees to maintain records of its performance under FHAP, including all past performance assessment reports, performance improvement plans, and other documents relative to the Recipient's performance.

The Recipient agrees to permit reasonable public access to its records as required at 24 CFR § 115.308(c) (i.e., records are made available at the agency's office during normal working hours for public review). The Recipient agrees to permit the Secretary of HUD, Inspector General of HUD, Comptroller General of the United States, and any of their authorized representatives, access to all the pertinent books, accounts, reports, files, and other payments for surveys, audits, examinations, excerpts and transcripts as they relate to the agency's participation in the FHAP. The Recipient agrees to keep files in such a fashion as to permit the audits under applicable Office of Management and Budget circulars, procurement regulations and guidelines, and the Single Audit requirements for state and local agencies.

19. CUSTOMER SERVICE STANDARDS

The Recipient agrees to ensure that any and all individuals associated with fair housing complaints, including aggrieved persons, complainants, respondents, and representatives, are treated with dignity and respect. The Recipient agrees to maintain regular contact with parties to a complaint, including not allowing more than 30 business days to pass without some form of contact with parties. The Recipient agrees that its staff will not communicate disinterest or distrust in the complaint process to any of the parties to the complaint. Complaints to HUD from individuals associated with FHAP fair housing complaints will be reviewed by the GTR. The GTR will work with the Recipient and the individual to resolve the matter. In addition, customer satisfaction issues identified that may impact the timely and effective processing of fair housing complaints will be considered when HUD conducts performance assessments of the Recipient in accordance with 24 CFR § 115.206.

20. REPORTING REQUIREMENTS

The Recipient agrees to provide the GTR timely information on all fair housing complaints cognizable under the Fair Housing Act, from receipt to closure, regardless of whether payment has been received by the Recipient.

The Recipient agrees to fully utilize the HUD Enforcement Management Systems (HEMS) and input information in HEMS in a timely manner. Failure to meet this requirement shall result in HUD identifying such failure as a deficiency in the FHAP agency's performance assessment, thereby authorizing HUD to proceed with performance deficiency procedures enumerated in the FHAP regulation at 24 CFR § 115.210.

21. TRAINING

The Recipient agrees to send staff to mandatory training sponsored by HUD, including, but not necessarily limited to, the National Fair Housing Training Academy and the National Fair Housing Policy Conference.

22. INITIAL CONTACT DATE

The Recipient must use the Initial Contact Date field in HEMS to record the actual date on which a complainant first contacts the Recipient or FHEO to inquire about filing a housing discrimination complaint, or to report an alleged discriminatory housing practice. The Recipient will be required to comply with the following procedures with respect to documenting a complainant's initial contact.

For cases initially filed with the Recipient, the Recipient must:

- A) Maintain records of each complainant's initial contact with the Recipient, including records of all telephone, e-mail, letters, and in-person contacts;
- B) Place the original record of a complainant's initial contact, or a copy of that record, in the case file under the complainant's evidence section of the file, consistent with the requirements of Chapter 10 of the Title VIII Manual; and
- C) Ensure that the Initial Contact Date field in HEMS reflects the earliest date of contact referenced in the case file.

For cases initially filed with FHEO, the Recipient:

- A) Must ensure that the Initial Contact Date filed in HEMS reflects the earliest date of contact referenced in the case file referred to the Recipient by FHEO;
- B) Must not change the date that FHEO entered in the Initial Contact Date field in HEMS even if records contained in the case file received from FHEO reflect a later date of contact by the complainant. If FHEO has entered an initial date of contact in HEMS that is earlier than any contact date referenced in the case file, the Recipient must contact the FHEO regional office to obtain any records of contact that may have been omitted from the case file.

23. CHANGES LIMITING EFFECTIVENESS OF RECIPIENT'S LAW

Pursuant to 24 C.F.R. 115.211(a), if a state or local fair housing law that a Recipient enforces is amended, or rules or procedures concerning the fair housing law are adopted, or judicial or other authoritative interpretations of the fair housing law are issued, the Recipient must notify HUD's Fair Housing Assistance Program Division within 60 days of its discovery. This requirement also applies to the amendment, adoption, or interpretation of any related law that bears on any aspect of the effectiveness of the FHAP agency's fair housing law. Send correspondence to:

Director, Fair Housing Assistance Program Division
Office of Fair Housing and Equal Opportunity
U.S. Department of Housing and Urban Development
451 Seventh Street, SW, Room 5206
Washington, DC 20410

24. FHAP AND THE FIRST AMENDMENT

None of the funding made available under the FHAP may be used to investigate or prosecute any activity engaged in by one or more persons that may be protected by the First Amendment of the United States Constitution.

25. TESTING

The following requirements apply to testing activities funded under the FHAP:

- A. Testing must be done in accordance with a HUD-approved testing methodology;
- B. Testers must not have prior felony convictions or convictions of any crimes involving fraud or perjury;
- C. Testers must receive training or be experienced in testing procedures and techniques;
- D. Testers and the organizations conducting tests, and the employees and agents of these organizations, may not: 1) have an economic interest in the outcome of the test, without prejudice to the right of any person or entity to recover damages for any cognizable injury; 2) be a relative or acquaintance of any party in a case; 3) have had any employment or other affiliation, within five years, with the person or organization; or 4) be a competitor of the person or organization to be tested in the listing, rental, sale or financing of real estate.

26. RELEASE OF INFORMATION WHILE COMPLAINT IS OPEN

As a general rule, the Recipient will not release information collected during the course of the investigation while the complaint is open. There are three exceptions. First, the Recipient will provide information to HUD, consistent with Section 11 of this document. Second, a party to a complaint being investigated by the Recipient is entitled to receive a copy of any document it submitted during the investigation of the complaint. Third, during conciliation, a conciliator may opt to use the strategy of revealing portions of the evidentiary section of the investigative file to

the parties. This type of disclosure may also occur during an investigation when a Recipient investigator questions a party or a witness about a document or a statement in a document.

27. SEXUAL ORIENTATION, GENDER IDENTITY, MARITAL STATUS, AND SOURCE OF INCOME CAUSE DETERMINATIONS

Recipient must submit to the Fair Housing Assistance Program (FHAP) Division copies of sexual orientation, gender identity, marital status, and source of income cause determinations. The General Section of HUD's Notice of Funding Availability (NOFA) deems ineligible applicants that have not satisfactorily resolved a cause determination from a FHAP agency for a systemic violation of a state or local prohibition of sexual orientation, gender identity, and source of income housing discrimination. Additionally, on February 3, 2012, HUD issued a final rule entitled Equal Access to Housing in HUD Programs Regardless of Sexual Orientation and Gender Identity, which mandates recipients of HUD funds, FHA-insured lenders, and FHA-mortgagors to provide access to HUD programs without regard to sexual orientation, gender identity, and marital status. Receipt of cause determinations from FHAP agencies on these issues will assist HUD in determining whether an applicant is ineligible for funding under the NOFA and/or has violated the Equal Access Rule. FHAP agencies should submit such determinations electronically to LGBTfairhousing@hud.gov, or send hardcopies to:

Director, Fair Housing Assistance Program Division
Office of Fair Housing and Equal Opportunity
U.S. Department of Housing and Urban Development
451 Seventh Street, SW, Room 5206
Washington, DC 20410

**APPENDIX A - CONTRIBUTIONS AGREEMENT STATEMENT OF WORK
FY 2017**

1. The Recipient agrees to process housing discrimination complaints cognizable under the Fair Housing Act in accordance with the Agreement for the Interim Referral of Complaints and Other Utilization of Services (Interim Agreement) or Memorandum of Understanding (MOU) between the Recipient and HUD, the Schedule of Articles, the Criteria for Processing, and 24 C.F.R. Part 115.
2. The Recipient agrees to cooperate with HUD in the processing of housing discrimination complaints cognizable under the Fair Housing Act in accordance with the Interim Agreement, MOU, the Schedule of Articles, the Criteria for Processing, and 24 C.F.R. Part 115.
3. The Recipient agrees to augment its fair housing enforcement efforts by engaging in outreach and education, and engaging and participating in training and technical assistance pursuant to the Interim Agreement and MOU.
4. The Recipient agrees to follow HUD's guidance in processing complaints cognizable under the Fair Housing Act unless and until the Department rescinds such requirement in writing to the Recipient.
5. The Recipient agrees to identify to HUD all staff assigned to carry out fair housing activities by name, position, salary, relevant experience, and percentage of time spent carrying out fair housing responsibilities.
6. The Recipient may be required to participate in customer satisfaction evaluation activities under this agreement. The Recipient agrees to furnish to HUD all information collected from its customers in the form specified by HUD.
7. If the Recipient has aged cases, upon request from HUD, the Recipient must provide updates to HUD on its handling of aged cases and submit a plan to the GTR/GTM for closing such cases.

Exhibit 4

Louisville Metro Human Relations Commission

Annual Report
2015-2017

*"Moving Forward
in Challenging
Times"*



Mission Statement

The **MISSION** of the *Louisville Metro Human Relations Commission* is to promote **unity, understanding, and equal opportunity** among all people of Louisville Metro and to eliminate all forms of **bigotry, bias, and hatred** from the community.



Mayor's Letter



OFFICE OF THE MAYOR
LOUISVILLE, KENTUCKY

GREG FISCHER
MAYOR

May 22, 2017

Dear Friends:

Welcome to this report highlighting the important work that the Louisville Metro Human Relations Commission has been engaged in over the past year.

In a time of great challenges, uncertainty and divisiveness in our world, the Commission has continued to its mission of promoting unity, understanding, and equal opportunity among all people of Louisville Metro, and working to eliminate all forms of bigotry, bias, and hatred.

Since its creation at the start of the civil rights movement of the 1960s, the Commission has worked to bridge the many ethnic, racial and religious groups in Louisville Metro through a combination of civil law enforcement and education and outreach.

And in recent years, that work was led by the dynamic, charismatic Carolyn Miller-Cooper, who was the commission's executive director from 1998 to her unexpected death in December.

Carolyn was a passionate leader dedicated to the protection of all human rights, and she was a tireless voice for equality, fairness and dignity. She helped create our 20-year action plan to end housing segregation and was an unyielding advocate in efforts to fight discrimination in all forms.

She leaves behind a significant legacy of civic advocacy and leadership, so it is fitting that we dedicate this report to her.

As Reginald Glass, chairman of the Human Relations Commission Advocacy Board, said after her death, the best way for the Commission – and the city – to honor Carolyn is to dedicate ourselves to continue her work, “so that Louisville will truly be a city of compassion without prejudice.”

Certainly, this is a time for such dedication. Many critical issues and challenges remain locally, around the nation and throughout our increasingly complex and connected global society.

As your mayor, my goal is to ensure a community where we all work to ensure that everyone has the opportunity to reach their full human potential. That means removing barriers that keep some people from good-paying jobs and decent working conditions; from attaining the lifelong learning and skills they need for those jobs and from quality healthcare.

The work of the Human Relations Commission, as reflected in this report, is helping our community strive for and reach those goals.

Sincerely,

Greg Fischer
Mayor

WWW.LOUISVILLEKY.GOV

LOUISVILLE METRO HALL 527 WEST JEFFERSON STREET LOUISVILLE, KENTUCKY 40202 502.574.2003

In Memoriam

Carolyn Miller-Cooper (1965-2016)

Carolyn Miller-Cooper, Executive Director of the Louisville Metro Human Relations Commission, unexpectedly passed away at the end of December, 2016.

Carolyn envisioned and brought to fruition Making Louisville Home for Us All: A 20 Year Action Plan for Fair Housing. She was most proud of this publication and its commitment to begin ridding Louisville of the systemic racism and segregation which are products of its past. The 20 Year Action Plan includes steps for Metro Louisville government to take to ferret out the vestiges of a century of segregation. Along with the plan, the Commission, under Carolyn's leadership, developed a Fair Housing Assessment Instrument to be used by every government department to assure that policy, program and budget decisions are made with an understanding of the effect they might have on Fair Housing. Carolyn was also instrumental in organizing the Redlining Louisville project.

Carolyn will be fondly remembered and deeply missed by her colleagues within both the Commission and Metro Government as a whole, where she had been working since 1998. She was "a passionate leader dedicated to the protection of all human rights and a tireless voice for equality, fairness and dignity," Mayor Greg Fischer said. "She was, most importantly, a devoted mother, friend, counselor and colleague whose life ended too soon but whose accomplishments, from the 20-year action plan to end housing segregation to her tireless efforts to fight discrimination in all forms, will impact Louisville for decades."

"It is not often that you have the opportunity to work with a leader who is fact based and takes those facts to lead with their heart," said Reginald Glass, chairman of the Human Relations Commission Advocacy Board. "Carolyn Miller-Cooper was that kind of leader. An excellent listener and researcher with a strong passion for equality and equity for all, Carolyn Miller-Cooper's leadership as executive director of the Louisville Metro Human Relations Commission will be remembered as leadership with integrity."

A native New Yorker, she earned her undergraduate degree from Hunter College in New York City. She then attended the University of Kentucky College of Law and continued her studies at the McGeorge School of Law, where she earned a Master of Law degree. She was a member of the Kentucky and Louisville Bar Associations, and she served on the board of the Metropolitan Housing Coalition as well as co-chaired the Fair Housing Coalition. In addition to numerous other awards and accolades, Carolyn was inducted into the Kentucky Civil Rights Hall of Fame in 2014.

COMMISSION STAFF

Fiscal Years 2015-2017

Buffington, Dawn	Administrative Clerk/Intake Officer
Bumphus, Sandra	Administrative Clerk/Intake Officer
Calhoun, Diniah	Executive Assistant
Collins, Mark	Grant Accountant II
Dorsey, Stella	Ombudsman/Citizens Advocate
Faust, Jackson	Compliance Officer
Gettis, Kevin	Compliance Officer
Holland, Linda	Compliance Officer
Horne, Pamela	Public Education Coordinator
Lawfer, Martha	Human Relations Supervisor
Sanford, Rotonia	Secretary- HUD/EEOC
Sealy, Tony	Compliance Analyst
Schaub, Kevin	Compliance Officer
Selmon, Bobbi	Compliance Analyst
Valenzuela, Nicolas	Compliance Officer
Velez Lopez, Zoelee	Fair Housing Researcher
Adams, Judson	Fair Housing Intern

COMMISSION BOARDS

Fiscal Years 2015-2017

ADVOCACY BOARD:

The goal of this member board, appointed by the Mayor with the approval of Metro Council, is to promote and secure mutual understanding and the respect among all economic, religious, ethnic, and social groups in Louisville.

MEMBERS:

- Reginald Glass, Chair
- David Allgood
- Aukram Burton
- Sherman Bush
- Dr. Mahesh Gupta
- Angelica Matos
- Victor Munderere
- Heather Williams
- Dawn Wilson

ENFORCEMENT BOARD:

The goal of this member board, appointed by the Mayor with the approval of Metro Council, is to assist in the enforcement of anti-discrimination laws.

MEMBERS:

- Judge Kevin Delahanty, Chair
- Melissa Allen
- Marie Dever
- Charles Lanier, Sr.
- Dr. Thomas Sabetta
- Dr. Ibrahim Syed
- Leonard Thomas

Complaint Data

Fiscal Years 2015-2017

Complaints Filed

	Employment	Public Accommodations	Housing	Hate	Total
Race	36	7	14	0	57
Sex	25	2	2	0	29
Disability	12	3	23	0	38
National Origin	4	0	2	0	6
Sexual Orientation	5	0	0	0	5
Gender Identity	1	0	0	0	1
Color	0	0	0	0	0
Religion	0	0	0	0	0
Age	11	0	0	0	11
Familial Status	0	0	4	0	4
Retaliation	15	0	0	0	15
TOTAL	109	12	45	0	166

Complaints Closed

	Employment	Public Accommodations	Housing	Hate	Total
Race	42	7	20	0	69
Sex	28	1	7	0	36
Disability	11	3	20	0	34
National Origin	2	0	3	0	5
Sexual Orientation	9	0	2	0	11
Gender Identity	1	0	0	0	1
Color	0	0	0	0	0
Religion	2	0	0	0	2
Age	10	0	0	0	10
Familial Status	0	0	10	0	10
Retaliation	10	0	1	0	11
TOTAL	115	11	63	0	189

Complaint Data

Result Data

	Employment	Public Accommodations	Housing	Hate	Total
No Probable Cause	59	6	27	0	<u>92</u>
Probable Cause	5	1	2	0	<u>8</u>
Settlements	7	2	23	0	<u>32</u>
Administrative	15	3	3	0	<u>21</u>
Judicial Dismissals	0	0	0	0	<u>0</u>
Withdrawals	8	0	0	0	<u>0</u>
Probable Cause referred to JCAC	5	1	2	0	<u>8</u>
Probable Cause litigated by JCAC	2	0	2	0	<u>4</u>
TOTAL	101	13	63	0	<u>177</u>

** Some complaints allege more than one basis of discrimination. Therefore, the total number of complaints filed does not equal the total number of bases for complaints filed.

Conciliations

July 1, 2015 through June 30, 2016

Employment

Helen Neal v. Fairfield Inn & Suites

Basis: Race and National Origin
 Adverse Action: Harassment, Intimidation and Termination
 Conciliation: \$1,500.00, a letter of apology and staff training on Civil Rights laws.

Public Accommodation

Tia Jenkins v. Family Dollar

Basis: Disability
 Adverse Action: Denial of Accommodation
 Conciliation: \$500.00 in gift cards and team members were provided EEO training

Housing

Louisville Metro Human Relations Commission v. Lea, LLC

Basis: Familial Status
 Adverse Action: Refusal to rent after the making of a bona fide offer, discriminatory advertising
 Conciliation: Review and update policies on advertising of rental dwellings

Louisville Metro Human Relations Commission v. Mark J. Bailey & Margaret DeNicola

Basis: Familial Status
 Adverse Action: Discriminatory advertising
 Conciliation: Provide an Equal Housing Opportunity statement and/or symbol in all dwelling print advertisements

Beth Wardle v. Samuel Stockard

Basis: Race
 Adverse Action: Denied housing based on association with someone who is African American
 Conciliation: \$3,500.00

Brittany Sanderlin v. Barrington Place Apartments

Basis: Familial Status
 Adverse Action: Terms, conditions of rental occupancy
 Conciliation: \$4,000.00

Lexington Fair Housing Council v. Barrington Place Apartments

Basis: Familial Status
 Adverse Action: Terms, conditions of rental occupancy
 Conciliation: \$4,000.00

Conciliations

July 1, 2015 through June 30, 2016

Housing (Cont'd)

Louisville Metro Human Relations Commission v. Sara Marcum

Basis: Familial Status
 Adverse Action: Discriminatory advertisement
 Conciliation: Include non-discrimination statement in printed advertisements

Louisville Metro Human Relations Commission v. Sydney and Elise Wright

Basis: Familial Status
 Adverse Action: Discriminatory refusal to rent and discriminatory advertisement-rental
 Conciliation: Provide an Equal Housing Opportunity statement and/or symbol in all dwelling print advertisements

Louisville Metro Human Relations Commission v. Access by Design, Inc. & Humphreys & Partners Architects LP & Louisville Multifamily DST & Mindel, Scott & Associates, Inc. & Thompson Thrift Construction, Inc. & Watermark, JSQ on Hurstbourne, LLC

Basis: Disability
 Adverse Action: Discriminate in Design and Construction
 Conciliation: Review Fair Housing manual; construction plan includes installation of five (5) curb ramps

Ida Adato v. The Park at Hurstbourne

Basis: Disability and Familial Status
 Adverse Action: Failure to make a reasonable accommodation
 Conciliation: Reasonable modification by adding a handrail to the exterior stairs

Patricia Long v. Noltemeyer Company

Basis: Race and Disability
 Adverse Action: Denied a designated parking space
 Conciliation: \$5,000.00

Kathy Tinsley v. Clark Management Company, Inc.

Basis: Sex
 Adverse Action: Discrimination in the conditions or terms of sale, rental occupancy, or in services or facilities
 Conciliation: \$4,000.00

Conciliations

July 1, 2015 through June 30, 2016

Housing (Cont'd)

Louisville Metro Human Relations Commission v. Oxmoor CRA-B1, LLC

Basis: Familial Status
Adverse Action: Discriminatory refusal to rent
Conciliation: Provide an Equal Housing statement/symbol on dwelling print advertisements

Louisville Metro Human Relations Commission v. Prospect Park CRA-B1, LLC & Jupiter Communities, LLC

Basis: Familial Status
Adverse Action: Discriminatory terms, conditions, privileges, or services and facilities
Conciliation: Provide an Equal Housing statement/symbol on dwelling print advertisements

Trishondra Jackson v. APEX, PM, Inc.

Basis: Disability
Adverse Action: Failure to make a reasonable accommodation
Conciliation: \$965.77

Conciliations

July 1, 2016 through June 30, 2017

Employment

Joseph Harry v. PCL Industrial Construction Company

Basis: Race
Adverse Action: Laid Off
Conciliation: \$6,600.00

Salvador Felix v. Caliper, Inc.

Basis: Sex
Adverse Action: Termination
Conciliation: Job restored with back pay and staff to review EEOC policy

Guerda Tisoit v. Diversicare

Basis: Disability
Adverse Action: Termination
Conciliation: Restore to full employment status

Jessica Basham v. Leucht Family Dental

Basis: Sex
Adverse Action: Termination
Conciliation: \$4,000.00

April Branson v. Leucht Family Dental

Basis: Sex
Adverse Action: Harassment
Conciliation: \$4,000.00

Frederick Phillips v. American Campus Communities OP L.P.

Basis: Disability
Adverse Action: Termination
Conciliation: \$10,000.00

Conciliations

July 1, 2016 through June 30, 2017

Public Accommodation

Carolyn Miller and James Miller v. Cracker Barrel Old Country Store, Inc.

Basis: Race/Race Association
 Adverse Action: Denial of Services
 Conciliation: 10 free meals with no cost limit

Housing

Louisville Metro Human Relations Commission v. Shamrock Creek, LLC & Alice A. Boden Estate

Basis: Familial Status
 Adverse Action: Refusal to Rent
 Conciliation: Review HUD memorandum "Fair Housing Enforcement Policy: Occupancy Standards"

Louisville Metro Human Relations Commission v. Hurstbourne Multifamily Partners, LLC

Basis: Familial Status
 Adverse Action: Discriminatory to rent, discriminatory terms and conditions, privileges, or services and facilities, other discriminatory acts
 Conciliation: Provide Equal Housing Opportunity statement and/or symbol to print advertising

Louisville Metro Human Relations Commission v. Bluestone Properties & TPE, LLC

Basis: Familial Status
 Adverse Action: Discriminatory terms, conditions, privileges, or services and facilities, other discriminatory acts
 Conciliation: Review HUD "Fair Housing Enforcement Policy: Occupancy Standards"

Louisville Metro Human Relations Commission v. TJG Investments, LLC

Basis: Familial Status
 Adverse Action: Advertise in a discriminatory way
 Conciliation: Cease advertising rental dwellings as "Single preferred but will consider married couple"

Louisville Metro Human Relations Commission v. West Nashville Condominiums, LLC

Basis: Familial Status
 Adverse Action: Refusal to rent
 Conciliation: Provide Equal Housing Opportunity statement and/or symbol to printed advertisements

Conciliations

July 1, 2016 through June 30, 2017

Housing (Cont'd)

Beverly Sheahan v. Mulloy Properties LLC & Hurstbourne Ridge Condominium Association

Basis: Disability
 Adverse Action: Non-compliance with design and construction requirements (disability)
 Conciliation: Pay half the cost of the installation of a curb cut/ramp

Sammie Fairchild v. Housing Partnership, Inc.

Basis: Disability
 Adverse Action: Terms and conditions, privileges or services and facilities
 Conciliation: Designate a parking space and install scanner with fob

Louisville Metro Human Relations Commission v. Pinnacle Properties Development Group, LLC

Basis: Familial Status
 Adverse Action: Discriminatory terms, conditions, privileges, or services and facilities; other discriminatory acts
 Conciliation: Review HUD Fair Housing Enforcement Policy: "Occupancy Standards and Guidance"

Jeffrey Hall v. Wildwood Condominiums, Inc.

Basis: Retaliation and Disability
 Adverse Action: Harassment
 Conciliation: Waive fee and review HUD rule

Darell Ditto v. CMB Real Estate Investments, LLC

Basis: Disability
 Adverse Action: denied reasonable accommodation
 Conciliation: Assist with moving from current unit to first floor unit and waive fees

Devon McCallie v. Heart of America Property Management, Inc.

Basis: Race
 Adverse Action: Terms and Services
 Conciliation: Release from current lease, provide positive rental referrals

Fair Housing Advocates, Inc. v. C.F.L.P. 1 LLC dba Arcadia Apartments, John M. Clark

Basis: Disability
 Adverse Action: Failure to make reasonable accommodation
 Conciliation: \$900.00

Conciliations

July 1, 2016 through June 30, 2017

Housing (Cont'd)

Fair Housing Advocates, Inc. v. Garden Gate Apartments

Basis: Disability
 Adverse Action: Failure to make reasonable accommodations
 Conciliation: \$1,250.00

Louisville Metro Human Relations Commission v. Mayflower Apartments

Basis: Disability
 Adverse Action: Discriminatory terms, conditions, privileges, or services and facilities
 Conciliation: Review HUD publications with leasing staff

Louisville Metro Human Relations Commission v. Four Seasons Apartments, Properties Four, Inc.

Basis: Familial Status
 Adverse Action: Discriminatory refusal to rent, discriminatory terms, conditions, privileges or services and facilities
 Conciliation: Modify policies

Fair Housing Advocates, Inc. v. Woodbridge Apartments

Basis: Disability
 Adverse Action: Failure to make reasonable accommodations
 Conciliation: Compensate \$250.00 and attend Fair Housing training

Claudette Helvey v. Mulloy Properties & Atrium at Stonybrook 1B

Basis: Disability
 Adverse Action: Discriminatory financing (includes real estate transaction), discriminatory terms, conditions, privileges or services and facilities
 Conciliation: Return dumpster to its former location

Rushad Buchanan v. New Directions Housing Corporation

Basis: Disability
 Adverse Action: Discriminatory terms, conditions, privileges, or services and facilities
 Conciliation: Postpone the termination of the lease

Louisville Metro Human Relations Commission v. Jhanna Waddell

Basis: Familial Status
 Adverse Action: Advertise in a discriminatory way
 Conciliation: Complete Fair Housing Training on the subject of advertising abilities"

Conciliations

July 1, 2016 through June 30, 2017

Housing (Cont'd)

Louisville Metro Human Relations Commission v. Heidi Poth Tracy

Basis: Disability
Adverse Action: Discriminatory terms, conditions, privileges, or service and facilities
Conciliation: Review HUD publications and amend its forms, policies, and procedures to Reflect compliance with these regulations

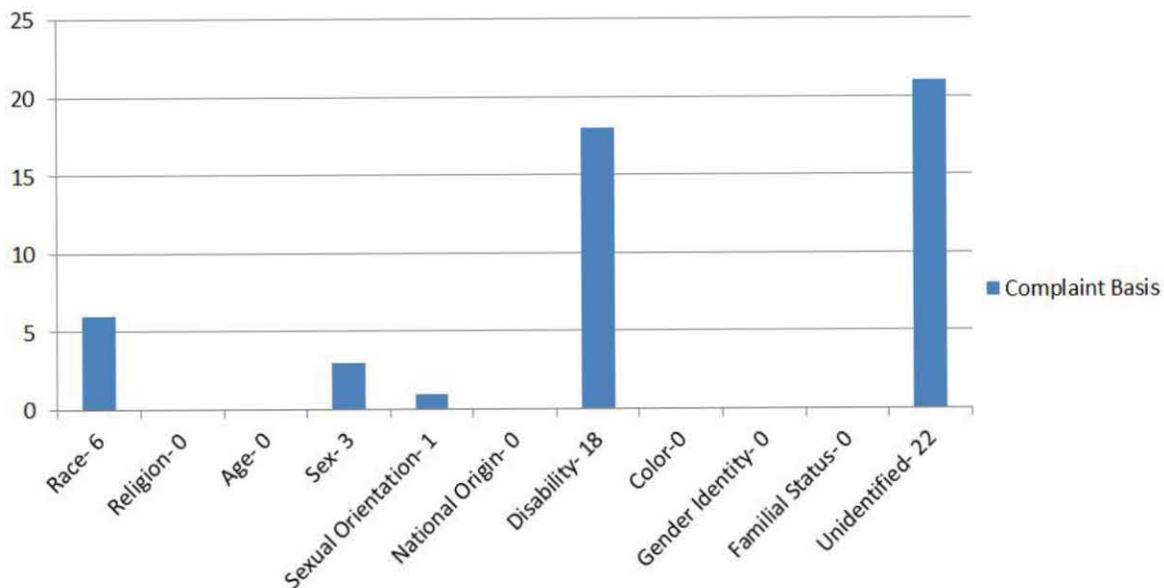
Fair Housing Advocates, Inc. v. Family Investments, Inc. and Service Management of KY, Inc. Peterson & Associates Inc. dba Sun Residential

Basis: Disability
Adverse Action: Discriminatory terms. Conditions, privileges, or services and facilities
Conciliation: Review HUD training documents "Service Animals for People with Disabilities"

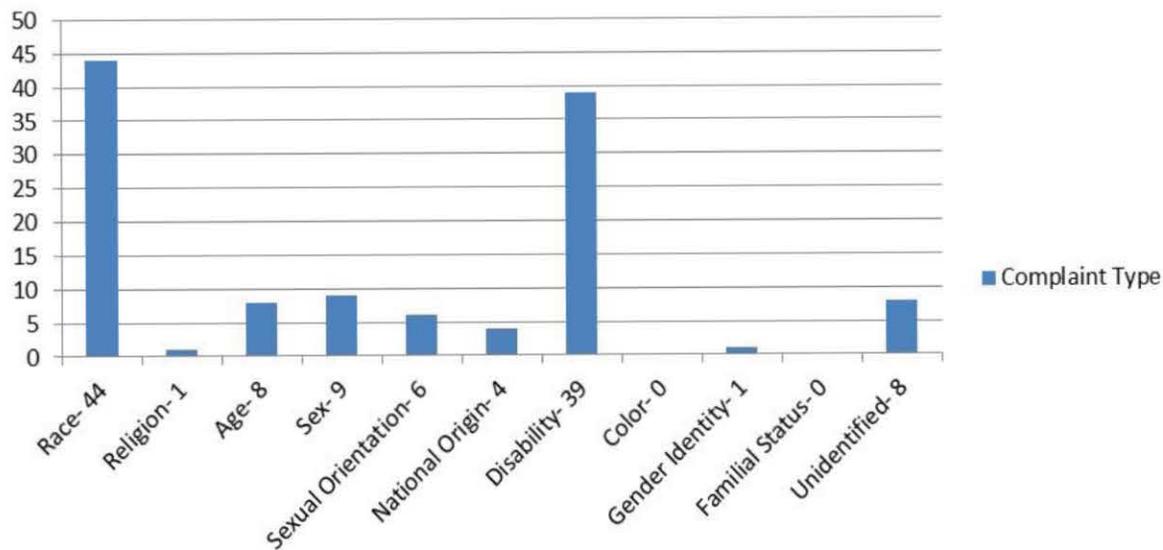
Inquiries

FY 2015-2016

Complaint Basis



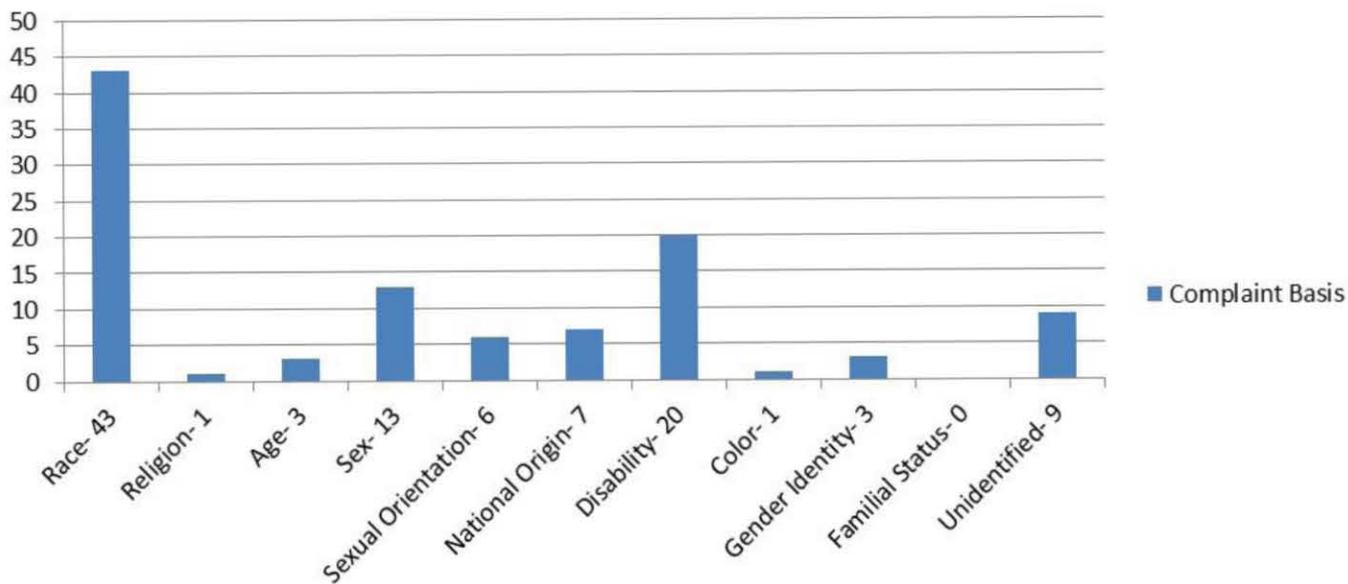
Complaint Type



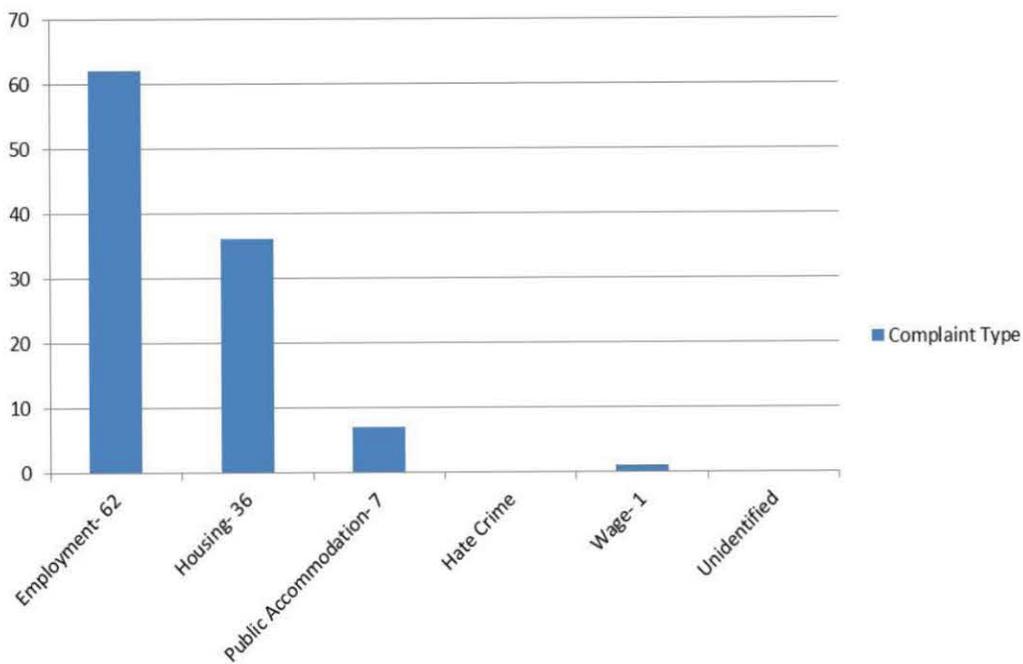
Intakes

FY 2015-2016

Complaint Basis



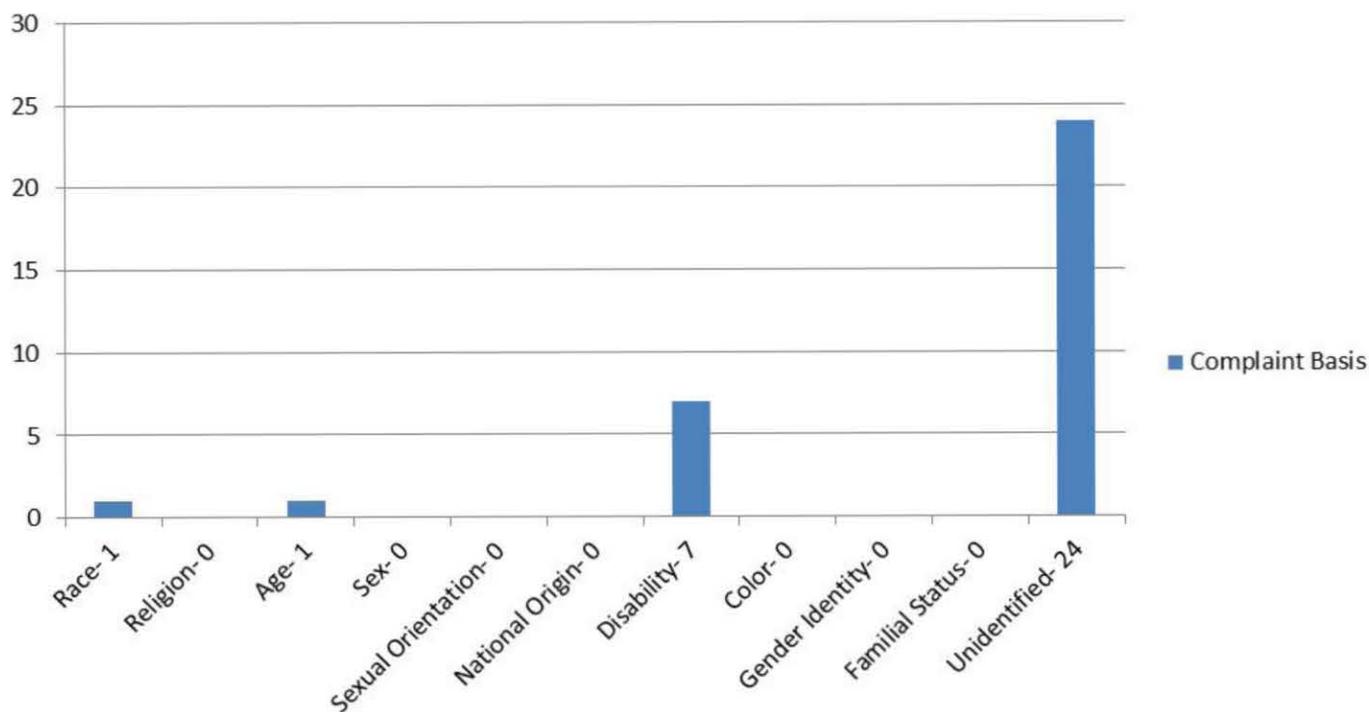
Complaint Type



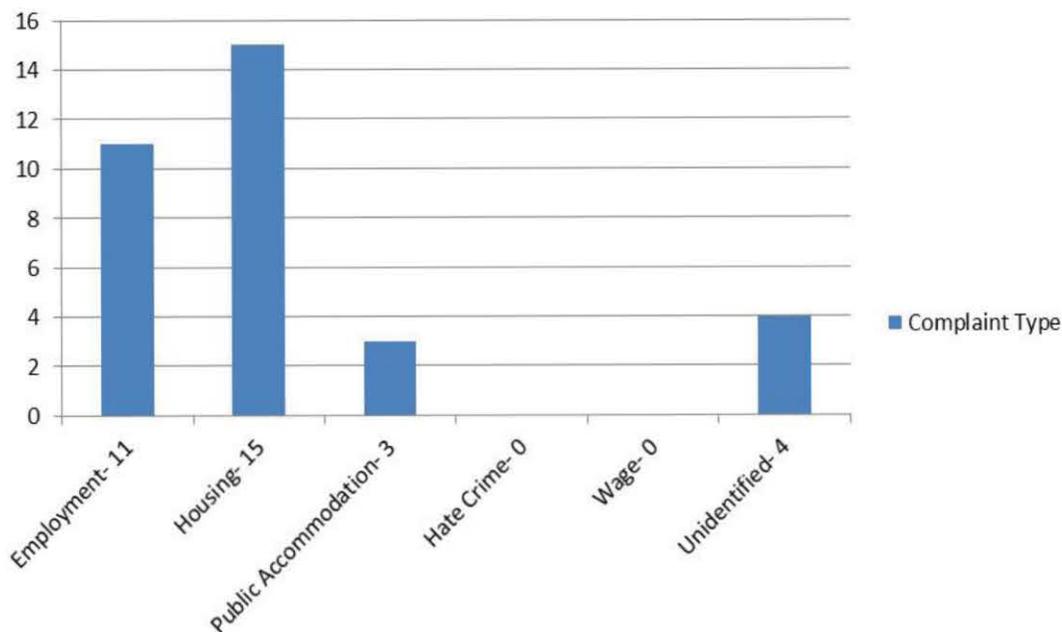
Inquiries

FY 2016-2017

Complaint Basis



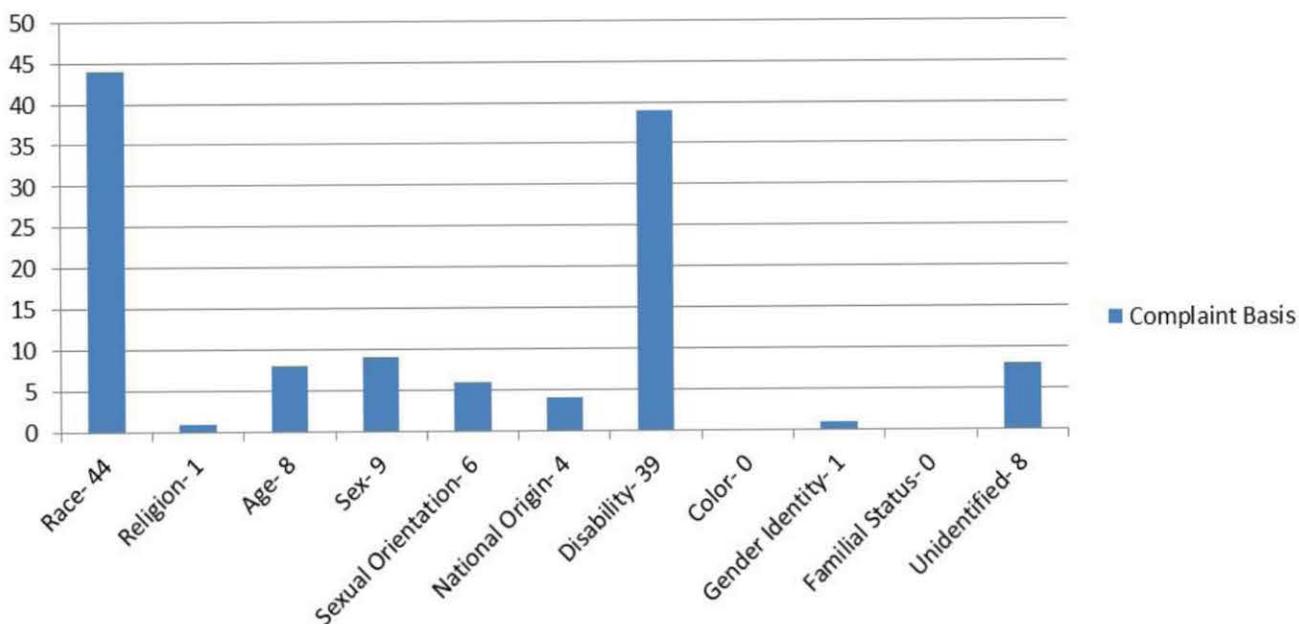
Complaint Type



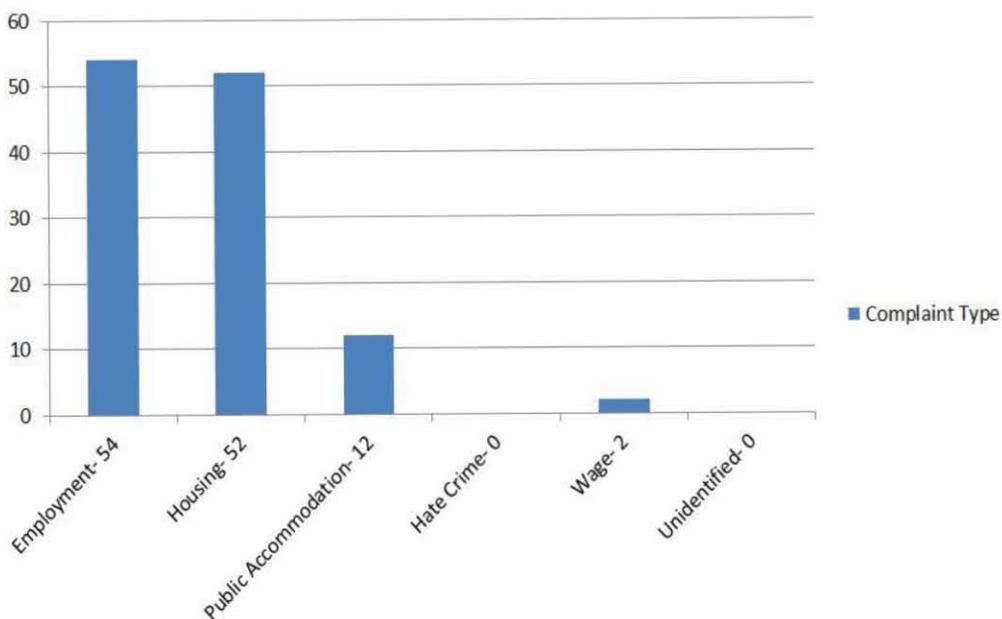
Intakes

FY 2016-2017

Complaint Basis



Complaint Type



Education & Outreach

July 2016

Fair Housing Coalition Meeting
Metro Disability Coalition Meeting

August 2016

Louisville Night Out (LMPD 2nd Division)
UofL Transgender Event
Fair Housing Coalition Meeting
Metro Disability Coalition Board Meeting

September 2016

2016 WorldFest
Fair Housing Coalition Meeting
District 5 10th Annual Community Celebration (Shawnee Park)
2nd Annual 2016 Louisville Pride Festival
Metro Disability Coalition Meeting

October 2016

Fair Housing Coalition Meeting
UofL PechaKuncha Knight Louisville
State of Metropolitan Housing Report
Metro Disability Coalition Meeting
NAACP Freedom Fund Barn

November 2016

Fair Housing Coalition Meeting
Racial Equity Here
UofL Angela Davis Event
Muhammad Ali Center: Next Generation Jim Crow
Metro Disability Coalition Meeting
UofL Yearlings Club Forum: The Impact of the 2016 Election on Black Americans

December 2016

Fair Housing Coalition Meeting

January 2017

Fair Housing Coalition Meeting
Education is King
Metro Disability Coalition Meeting
Muhammad Ali Center: Mayor's Immigration/Refugees Event

February 2017

*Fair Housing Coalition Meeting
Metro Disability Monthly Meeting
Intake & Investigate HUD Training*

March 2017

*Emergency JCPS Board Meeting
Fair Housing Coalition Meeting
Mayor's Russell Neighborhood Clean-up
Joint Utilities Reception
Immigration Event
MDC Breaking Barrier Spotlight Awards Ceremony
ACLU Annual Dinner
Metro Disability Coalition Monthly Meeting*

April 2017

*Parkhill Community Spring Resource Fair
Fair Housing Coalition Meeting
Comprehensive Plan Work Group Meetings
LMHRC: Know Your Rights as a Renter: A Conversation
Minority & Women Business Owners Conference
Metro Disability Coalition Monthly Meeting
Fair Housing Landlord Training*

May 2017

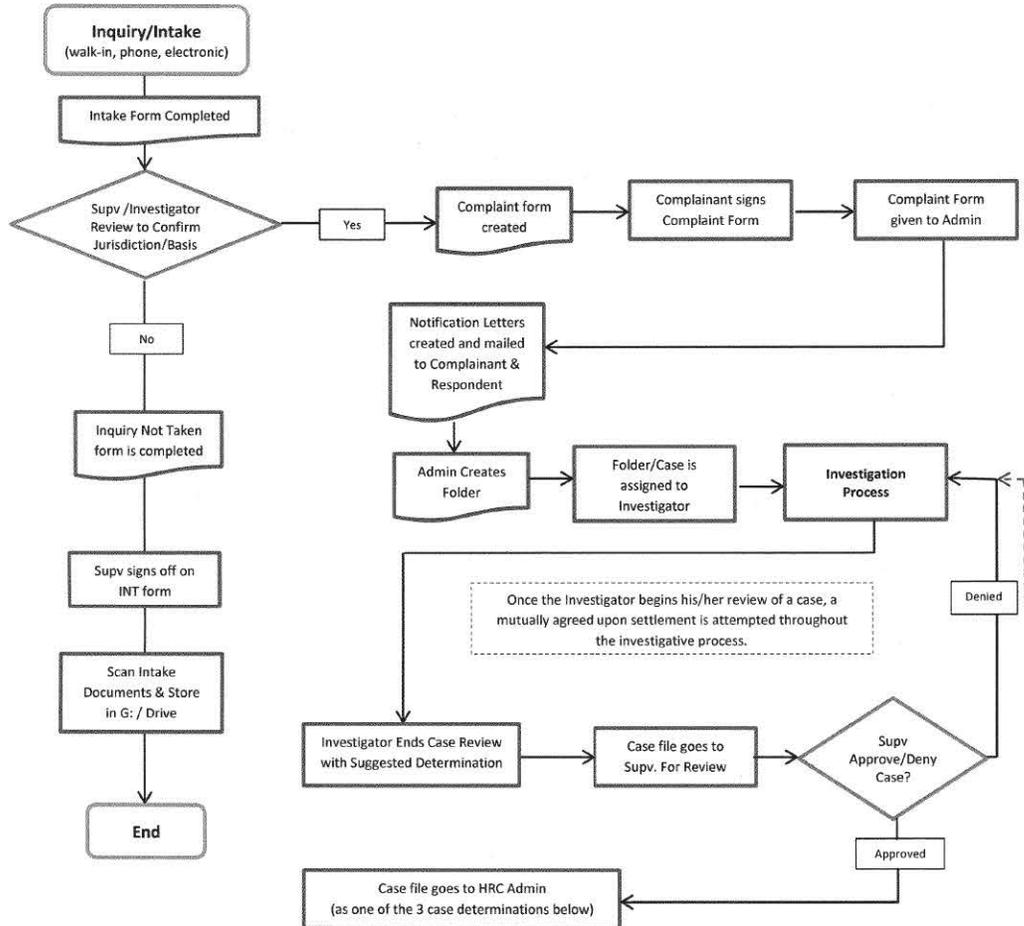
*Fair Housing Coalition Meeting
Metro on the Go
Metro Disability Coalition Meeting*

June 2017

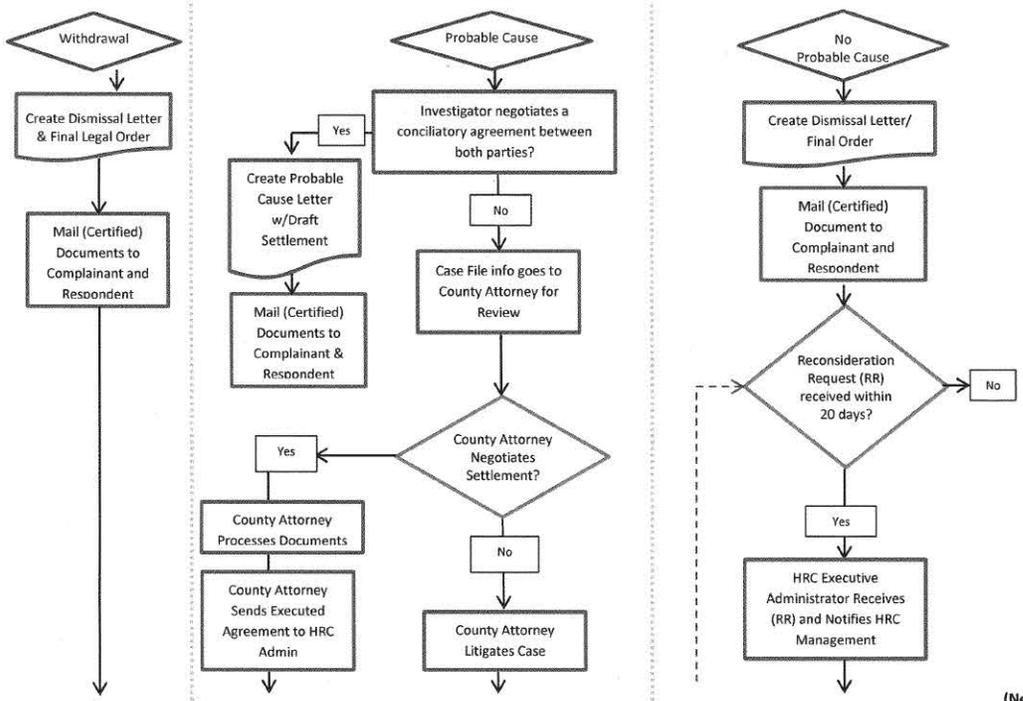
*Americana 2017 GlobaLou
Fair Housing Coalition Meeting
Kentuckiana Pride Festival Parade*

Case Process

HRC Case Process Cycle

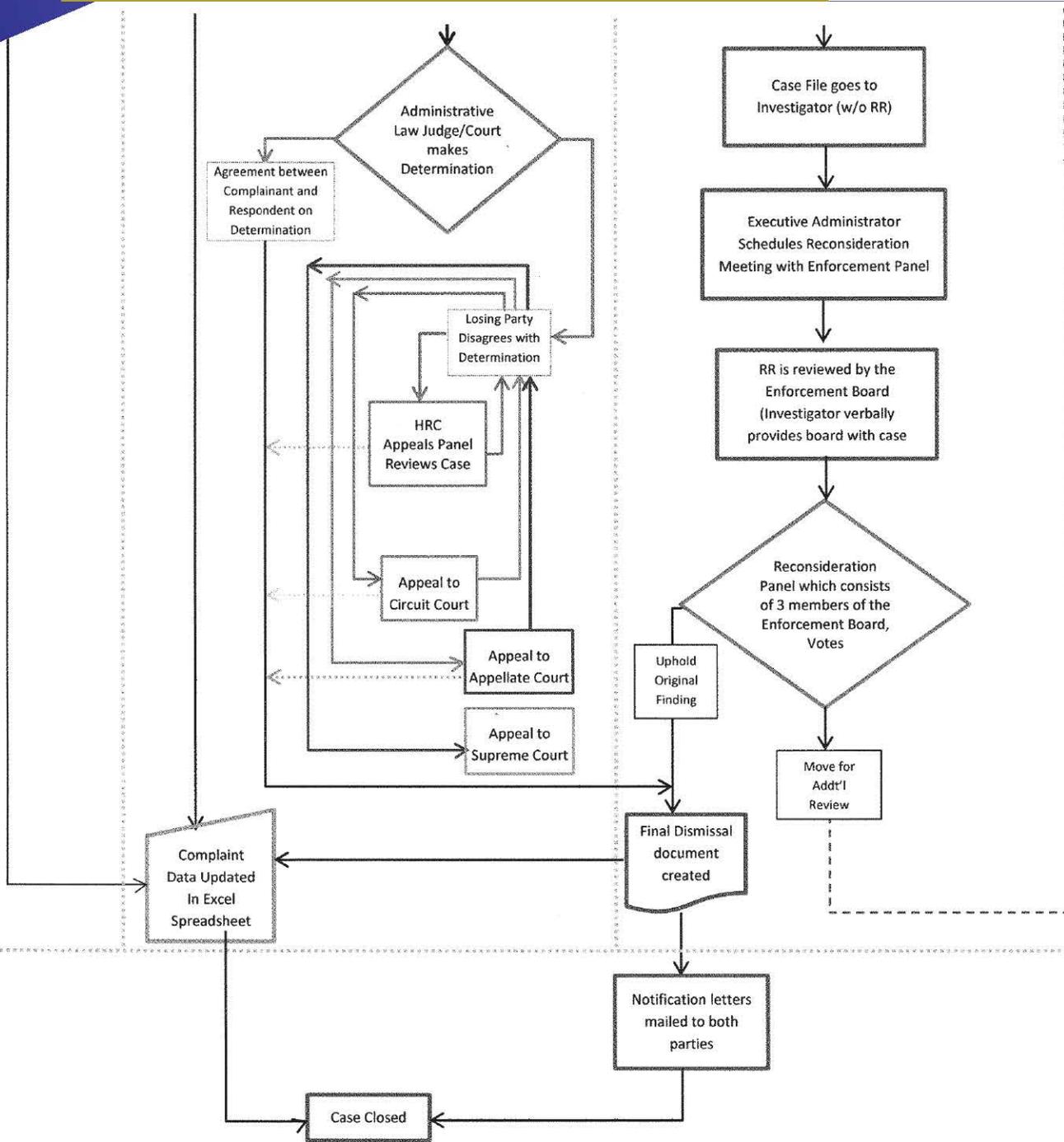


Case Determinations:



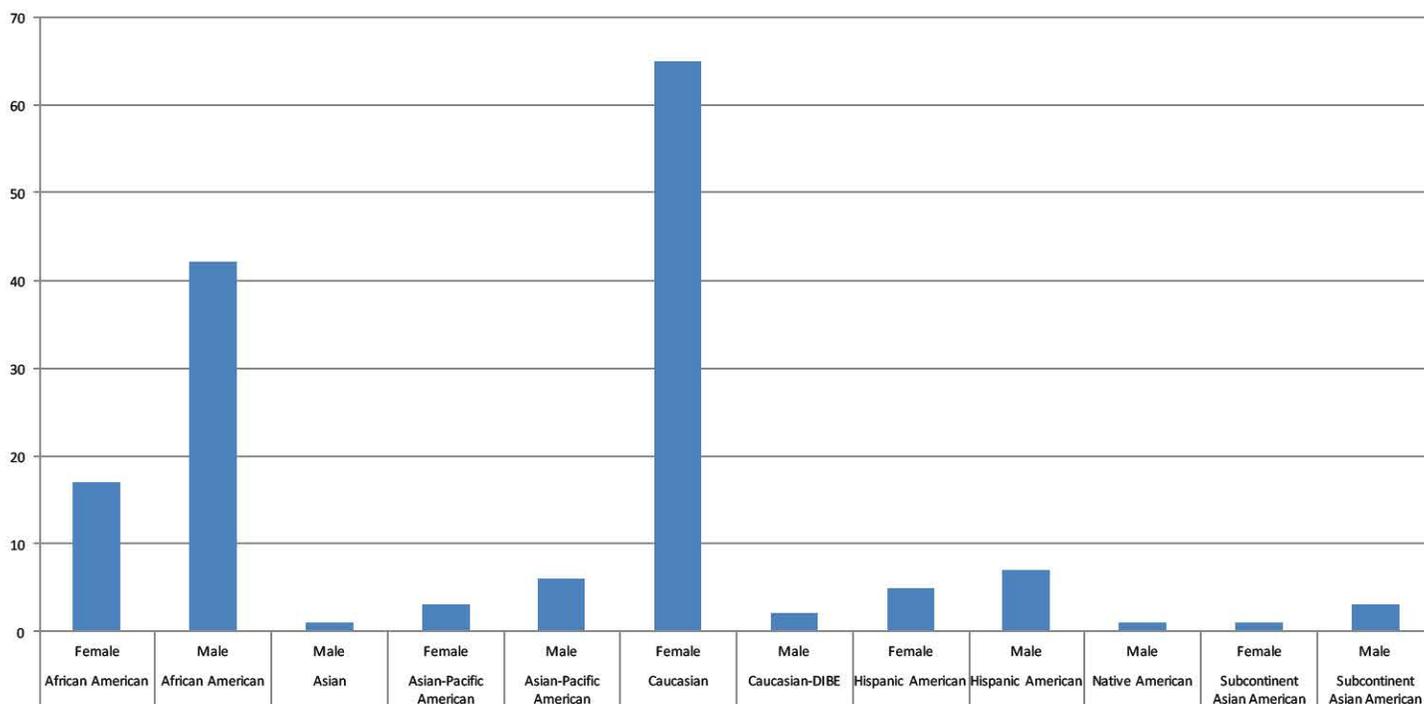
(Next Page)

Case Process (Cont'd)



Fiscal Year End Standings

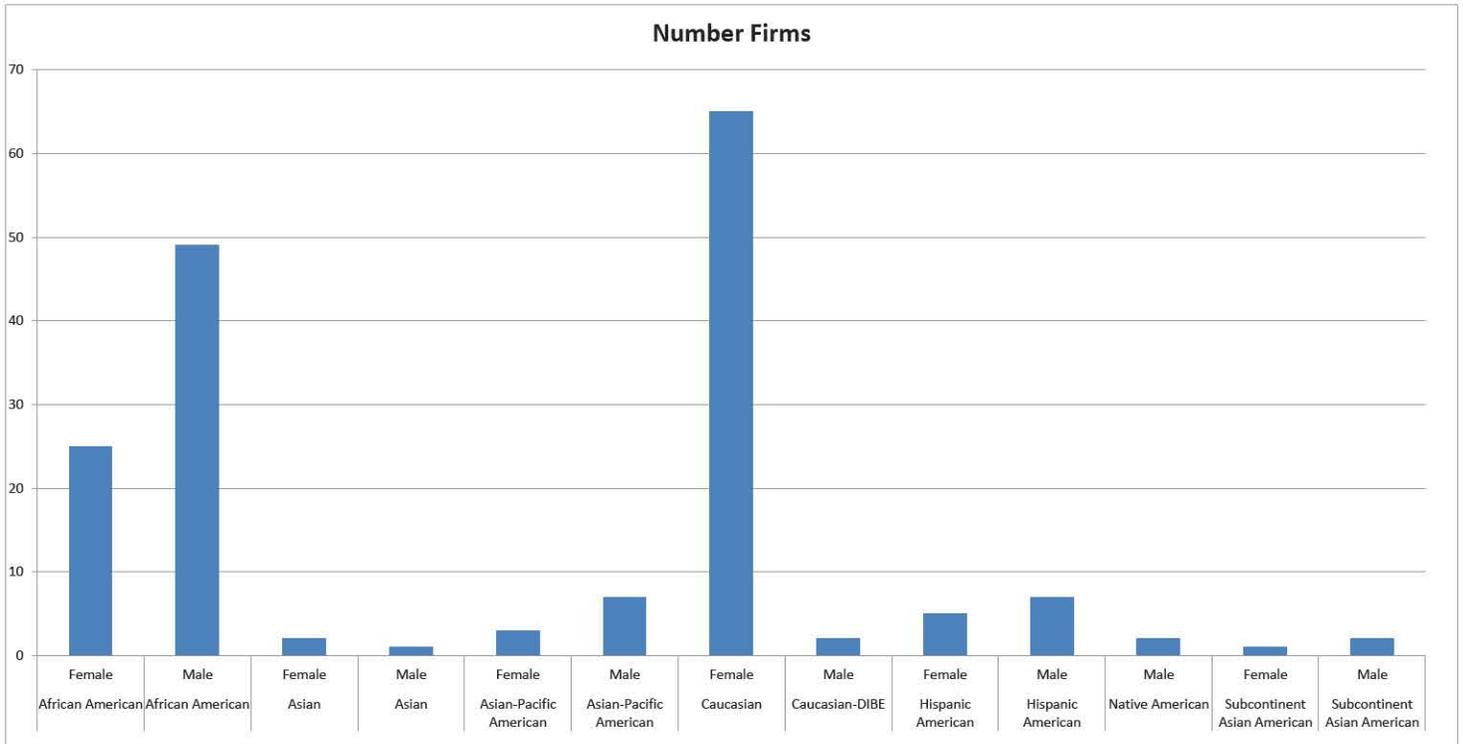
Certified Firms- 2016 Ethnicity & Gender Summary



Ethnicity	Gender	Number Firms
African American	Female	17
African American	Male	42
Asian	Male	1
Asian-Pacific American	Female	3
Asian-Pacific American	Male	6
Caucasian	Female	65
Caucasian-DIBE	Male	2
Hispanic American	Female	5
Hispanic American	Male	7
Native American	Male	1
Subcontinent Asian American	Female	1

Fiscal Year End Standings

Certified Firms- 2017 Ethnicity & Gender Summary



Ethnicity	Gender	Number Firms
African American	Female	25
African American	Male	49
Asian	Female	2
Asian	Male	1
Asian-Pacific American	Female	3
Asian-Pacific American	Male	7
Caucasian	Female	65
Caucasian-DIBE	Male	2
Hispanic American	Female	5
Hispanic American	Male	7
Native American	Male	2
Subcontinent Asian American	Female	1
Subcontinent Asian American	Male	2
Total Firms		171

Exhibit 5

LOUISVILLE METRO HUMAN RELATIONS COMMISSION

ENFORCEMENT TELE-VIDEO BOARD MEETING

OFFICIAL CALL AND AGENDA

Tuesday, December 8, 2020

12:00 P.M.

- **ROLL CALL**
- **MINUTES**
 - ◇ **NOVEMBER**
- **REPORTS APPROVAL**
 - ◇ **NOVEMBER**
- **EXECUTIVE DIRECTOR'S REPORT**
- **SETTLEMENTS AND COMMISSIONER COMPLAINTS**
- **OLD BUSINESS**
- **NEW BUSINESS**
- **ADJOURNMENT**

MISSION

of the Louisville Metro Human Relations Commission is to promote unity, understanding and equal opportunity among all people of Metro Louisville and to eliminate all forms of bigotry, bias and hatred from the community.

**LOUISVILLE METRO HUMAN RELATIONS COMMISSION
ENFORCEMENT MEETING MINUTES
November 10, 2020**

The Enforcement Board meeting of the Louisville Metro Human Relations Commission was held Tuesday, November 10, 2020, at 12:00p.m. at the Louisville Metro Human Relations Commission's WebEx Tele-video.

CALL TO ORDER

Chair Marie Dever called the meeting to order at 12:00 p.m.

ROLL CALL

PRESENT: 5 – Commissioners Marie Dever, Judge Kevin Delahanty (*phone*), Charles Lanier (*phone*), Dr. Ibrahim Syed, and Leonard Thomas.

ABSENT: 1 – Commissioner William Sutter.

Quorum present.

MINUTES

Commissioner Judge Kevin Delahanty moved to accept the October 2020 minutes as presented, Commissioners Charles Lanier and Dr. Ibrahim Syed seconded. Motion passed with none opposed or abstained.

REPORTS

- Citizen Advocate Report
- Intake Report
- Compliance Activity Report
- Good Faith Effort Report
- MFHBE Minority Ethnicity Gender Report
- Compliance Monitoring Report (*not available at this time*)
- Prequalified Vendors Report

Commissioner Leonard Thomas moved to accept the October 2020 reports as presented, Commissioner Dr. Ibrahim Syed seconded. Motion passed with none opposed or abstained.

EXECUTIVE DIRECTOR'S REPORT – Verná Goatley

- Telework – The office is on full remote schedule. We are required to have a person in the office Monday through Friday from 8:00a.m. to 5:00p.m. to answer the phones. A revolving staff schedule has been created for the remote schedule.

Page Two – November 10, 2020
Enforcement Board

EXECUTIVE DIRECTOR’S REPORT (*continuation*)

- Board Applications – The Commission’s applications submitted last Thursday to Metro Council for approval to the Board were Commissioner Judge Kevin Delahanty for reappointment and one (1) new member application. We are currently waiting for the Council’s approval.

Commissioner Leonard Thomas asked who is the new person being added?

Verná communicated that Leslie Faust was the person that was submitted to Metro Council for approval to the Enforcement Board.

- Executive Order/Procurement Task Force – Also at last Thursday’s Council meeting, there was an amendment made to the Procurement Ordinance 37.775 to include Good Faith Efforts (GFEs) on diverse businesses and on all Tax Increment Financing (TIF) projects that comes through Metro. This will be another area of monitoring that will come through our office for the Compliance Team.

COMPLAINTS AND SETTLEMENTS

Diniah communicated that there were no Settlements or Commissioner’s Complaints for approval for the month of November.

OLD BUSINESS

None.

NEW BUSINESS

Chair Dever noted that we have a new president and asked if there were any other new business to discuss.

Commissioner Judge Kevin Delahanty communicated no.

ADJOURNMENT

Commissioners Dr. Ibrahim Syed and Judge Kevin Delahanty moved to adjourn; Commissioner Charles Lanier seconded. The meeting adjourned at 12:08p.m.

Respectfully Submitted,

Diniah Calhoun
Administrative Assistant

Human Relations Commission

Intake Report

November 2020

Inquiries Not taken 6
EEOC Referrals 0
Total Complaints Drafted 4

Complaints Signed 3

Type (signed Complaints)

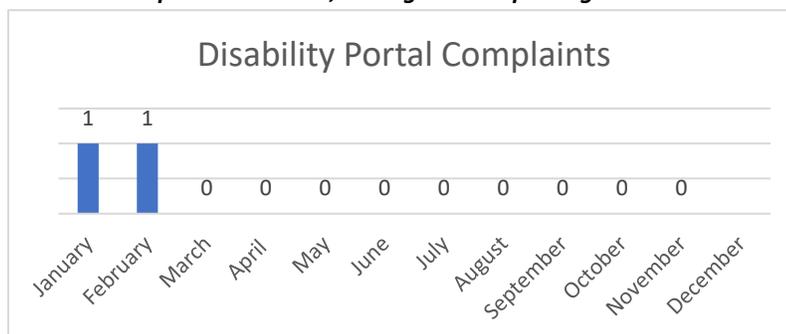
Employment 0
 Public Accommodation 0
 Housing 2
 Hate Crime 1

Basis (Signed Complaints)

Age 0
 Familial Status 0
 Race 1
 Disability 2
 National Origin 0
 Sexual Orientation 0
 Gender Identity 0
 Religion 0
 Color 0
 Sex 0
 Retaliation 0



Signed complaints include all complaints signed within the reporting month. Totals may contain complaints drafted in a previous month, but signed in reporting month.





HUMAN RELATIONS COMMISSION

CITIZENS ADVOCATE NOVEMBER 2020

Community Presentations

- Meetings Attended: (Virtual) 8
 - Kentucky Alliance
 - Voices of Louisville
 - HRC Advocacy Board Meeting
 - LGBTQ Meeting
 - NAACP General Meeting
- People Present:

Inquiries

3

Yasmany Layia – (502) 419-1588. Had an incident with an LMPD officer. He initially spoke with PSU and was asked to allow the commanding officer of the division to speak with the accused officer. However, if that information was satisfactory, he was encouraged to file a formal complaint.

Phillip Horton – (502) 510-1395. Needs assistance with notary of complaint form filed online. I returned the call to address the issue of filing a complaint online. I am waiting for a return call to explain the process as it relates to filing online.

Nathan Underwood – (502) 772-2060. Wants to file an appeal based on the Chief's finding.

Complaints Filed

1

- Yasmany Layia – (502) 419-1588

Appeals Letter Request

6

- Ali Al Shuwaili – PSU #19-081
- Benjamin Johnson – PSU #19-115
- Yosef Attiayh – PSU #19-081
- Nathan Underwood – PSU #20-010
- William Anderson, III – PSU #19-082
- Christine Seaton – PSU #19-090

Appeals Heard by Board

Rescheduled

**Louisville Metro Human Relations Commission
Compliance Activity Report**

Nov 2020

Complaints Filed

	<u>Employment</u>	<u>Public Accommodation</u>	<u>Housing</u>	<u>Hate Crimes</u>	<u>Total</u>
Race				1	1
Sex					
Disability			2		2
National Origin					
Sexual Orientation					
Gender Identity					
Color					
Religion					
Age					
Familial Status					
Retaliation					
<u>TOTAL</u>			<u>2</u>	<u>1</u>	<u>3</u>

Complaints Closed

	<u>Employment</u>	<u>Public Accommodation</u>	<u>Housing</u>	<u>Hate Crimes</u>	<u>Total</u>
Race					
Sex					
Disability			2		2
National Origin					
Sexual Orientation					
Gender Identity					
Color					
Religion					
Age					
Familial Status			4		4
Retaliation					
<u>TOTAL</u>			<u>6</u>		<u>6</u>

	<u>Employment</u>	<u>Public Accommodation</u>	<u>Housing</u>	<u>Hate Crimes</u>	<u>Total</u>	<u>Targeted Equitable Relief (TER)</u>
No Probable Cause			3		3	
Probable Cause						
Settlements			3		3	3
Administrative						
Withdrawals						
Hearings						
Litigation						
<u>TOTAL</u>			<u>6</u>		<u>6</u>	<u>3</u>

**Louisville Metro Human Relations Commission
Compliance Activity Report**

Nov 2020

Complaints Closed

	<u>Race</u>	<u>Sex</u>	<u>Disability</u>	<u>National Origin</u>	<u>Sexual Orientation</u>	<u>Gender Identity</u>
No Probable Cause						
Probable Cause						
Settlements			2			
Administrative						
Withdrawals						
Hearings						
Litigation						
<u>TOTAL</u>			<u>2</u>			

	<u>Religion</u>	<u>Retaliation</u>	<u>Age</u>	<u>Familial Status</u>	<u>Color</u>
No Probable Cause				3	
Probable Cause					
Settlements				1	
Administrative					
Withdrawals					
Hearings					
Litigation					
<u>TOTAL</u>				<u>4</u>	

Employment Complaints Closed

	<u>Race</u>	<u>Sex</u>	<u>Disability</u>	<u>National Origin</u>	<u>Sexual Orientation</u>	<u>Gender Identity</u>
No Probable Cause						
Probable Cause						
Settlements						
Administrative						
Withdrawals						
Hearings						
Litigation						
<u>TOTAL</u>						

	<u>Religion</u>	<u>Retaliation</u>	<u>Age</u>	<u>Familial Status</u>	<u>Color</u>
No Probable Cause					
Probable Cause					
Settlements					
Administrative					
Withdrawals					
Hearings					
Litigation					
<u>TOTAL</u>					

**Louisville Metro Human Relations Commission
Compliance Activity Report**

Nov 2020

Public Accommodation Complaints Closed

	<u>Race</u>	<u>Sex</u>	<u>Disability</u>	<u>National Origin</u>	<u>Sexual Orientation</u>	<u>Gender Identity</u>
No Probable Cause						
Probable Cause						
Settlements						
Administrative						
Withdrawals						
Hearings						
Litigation						
<u>TOTAL</u>						

	<u>Religion</u>	<u>Retaliation</u>	<u>Age</u>	<u>Familial Status</u>	<u>Color</u>
No Probable Cause					
Probable Cause					
Settlements					
Administrative					
Withdrawals					
Hearings					
Litigation					
<u>TOTAL</u>					

Housing Complaints Closed

	<u>Race</u>	<u>Sex</u>	<u>Disability</u>	<u>National Origin</u>	<u>Sexual Orientation</u>	<u>Gender Identity</u>
No Probable Cause						
Probable Cause						
Settlements			2			
Administrative						
Withdrawals						
Hearings						
Litigation						
<u>TOTAL</u>			<u>2</u>			

	<u>Religion</u>	<u>Retaliation</u>	<u>Age</u>	<u>Familial Status</u>	<u>Color</u>
No Probable Cause				3	
Probable Cause					
Settlements				1	
Administrative					
Withdrawals					
Hearings					
Litigation					
<u>TOTAL</u>				<u>4</u>	

**Louisville Metro Human Relations Commission
Compliance Activity Report**

Nov 2020

Hate Crime Complaints Closed

	<u>Race</u>	<u>Sex</u>	<u>Disability</u>	<u>National Origin</u>	<u>Sexual Orientation</u>	<u>Gender Identity</u>
No Probable Cause						
Probable Cause						
Settlements						
Administrative						
Withdrawals						
Hearings						
Litigation						
<u>TOTAL</u>						

	<u>Religion</u>	<u>Retaliation</u>	<u>Age</u>	<u>Familial Status</u>	<u>Color</u>
No Probable Cause					
Probable Cause					
Settlements					
Administrative					
Withdrawals					
Hearings					
Litigation					
<u>TOTAL</u>					

Complaints Pending

	<u>Employment</u>	<u>Public Accommodation</u>	<u>Housing</u>	<u>Hate Crimes</u>	<u>Total</u>
Race	2		1	1	4
Sex	1		1		2
Disability	3	1	8		12
National Origin					0
Sexual Orientation	1				1
Gender Identity					0
Color					0
Religion					0
Age					0
Familial Status			3		3
Retaliation	1		1		2
Equal Pay					0
<u>TOTAL</u>	<u>8</u>	<u>1</u>	<u>14</u>	<u>1</u>	<u>24</u>

**Louisville Metro Human Relations Commission
Compliance Activity Report**

Nov 2020

Complaints Pending Hearings or Litigations

	<u>Employment</u>	<u>Public Accommodation</u>	<u>Housing</u>	<u>Hate Crimes</u>	<u>Total</u>
Race			2		2
Sex					
Disability			4		4
National Origin					
Sexual Orientation					
Gender Identity					
<u>TOTAL</u>			<u>6</u>		<u>6</u>

	<u>Employment</u>	<u>Public Accommodation</u>	<u>Housing</u>	<u>Hate Crimes</u>	<u>Total</u>
Color					
Religion					
Age					
Familial Status			2		2
Retaliation					
<u>TOTAL</u>			<u>2</u>		<u>2</u>

Complaints Pending by Year

	<u>Employment</u>	<u>Public Accommodation</u>	<u>Housing</u>	<u>Hate Crimes</u>	<u>Total</u>
Jan-20	1	1	0		2
Mar-20	1	0	0		1
May-20	1	0	0		1
Jul-20	3	0	3		6
Aug-20	0	0	2		2
Sep-20	1	0	4		5
Oct-20	0	0	1		1
Nov-20	0	0	2	1	3
<u>TOTAL</u>	<u>7</u>	<u>1</u>	<u>12</u>	<u>1</u>	<u>21</u>

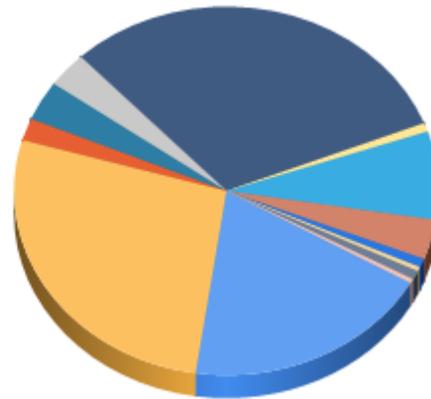
1 COVID-19 Case Pending

Louisville Metro Government Certified – Race, Ethnicity & Gender Summary

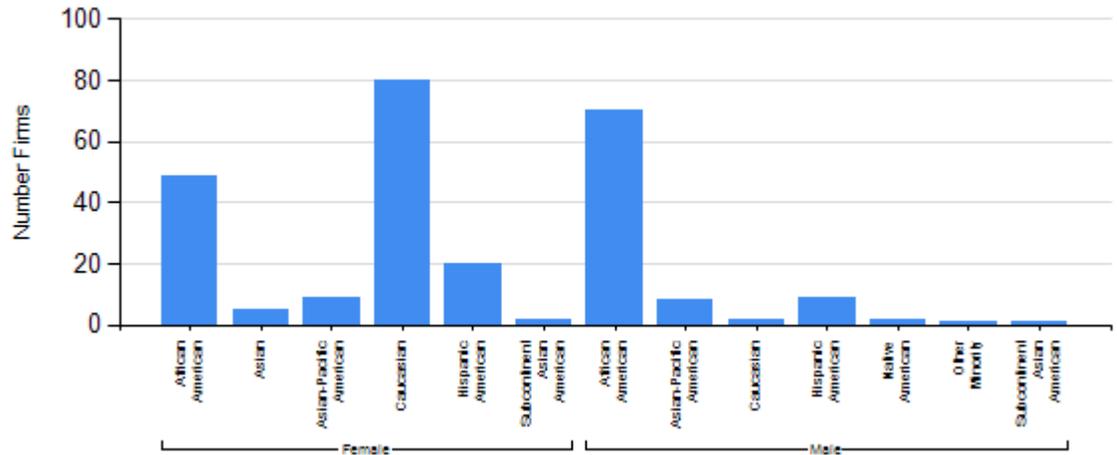
As of 11/30/2020

Race/Ethnicity & Gender Summary

Race/Ethnicity	Gender	Number Firms
African American	Female	49
African American	Male	70
Asian	Female	5
Asian-Pacific American	Female	9
Asian-Pacific American	Male	8
Caucasian	Female	80
Caucasian-DIBE	Male	2
Hispanic American	Female	20
Hispanic American	Male	9
Native American	Male	2
Other Minority	Male	1
Subcontinent Asian American	Female	2
Subcontinent Asian American	Male	1
Total Firms		205



- African American - Female
- African American - Male
- Asian - Female
- Asian-Pacific American - Female
- Asian-Pacific American - Male
- Caucasian - Female
- Caucasian - Male
- Hispanic American - Female
- Hispanic American - Male
- Native American - Male
- Other Minority - Male
- Subcontinent Asian American - Female
- Subcontinent Asian American - Male

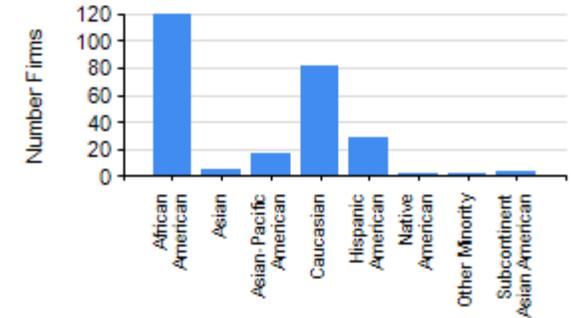
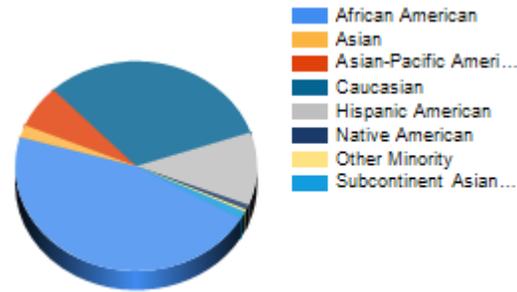


Louisville Metro Government Certified – Race, Ethnicity & Gender Summary

As of 11/30/2020

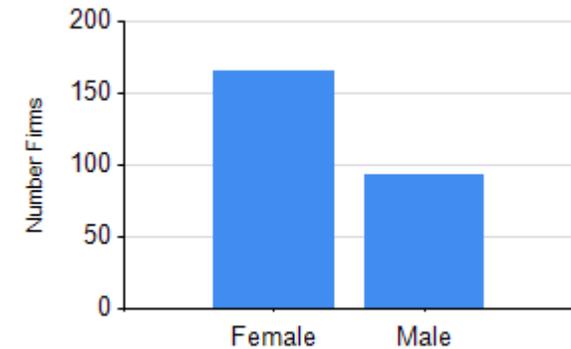
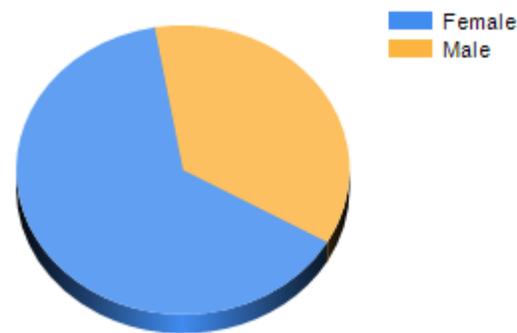
Race/Ethnicity Summary

Race/Ethnicity	Number Firms
African American	119
Asian	5
Asian-Pacific American	17
Caucasian	82
Hispanic American	29
Native American	2
Other Minority	1
Subcontinent Asian American	3
Total Firms	258



Gender Summary

Gender	Number Firms
Female	165
Male	93
Total Firms	258



LOUISVILLE METRO HUMAN RELATIONS COMMISSION
GOOD FAITH EFFORT EVALUATIONS EVALUATED OCTOBER 2020 REPORTED NOVEMBER 2020

GFE-1 Evaluations Bid Number: 210024**Hardware, Software and Peripheral Equipment**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENT S
Bidder # 1	CDW GOVERNMENT LLC	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 2	Insight Public Sector, Inc.	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 3	RLF General Contractors LLC	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 4	SHI International Corp.	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 5	ESCAPE VELOCITY HOLDINGS INC	No	Complete	Yes	No	False	False	Approved	NONE

GFE-1 Evaluations Bid Number: 210030**Employee Assistance Program**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENT S
Bidder # 1	Humana	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 2	CuraLinc Healthcare	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 3	MAGELLAN HEALTHCARE, INC	No	Complete	No	Yes	True	False	Approved	NONE
Bidder # 4	United Behavioral Health	No	Complete	No	No	True	False	Approved	NONE

GFE-1 Evaluations Bid Number: 210031**APRN Services for LMPHW Clinical Sites**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENT S
Bidder # 1	AB Staffing Solutions	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 2	University of Louisville School of Nursing	No	Complete	Yes	No	False	False	Approved	NONE

GFE-1 Evaluations Bid Number: 210032**Operation and Management of the Louisville Zoo - Re-bid**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENT S
Bidder # 1	Iconic Attractions Group, LLC.	No	Complete	Yes	No	False	False	Approved	NONE

GFE-1 Evaluations Bid Number: 210033**Data Analytics and Crime Mapping Software**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENT S
Bidder # 1	CENTRALSQUARE TECHNOLOGIES	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 2	OpportunitySpace, Inc.	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 3	LOTADATA, Inc.	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 4	dillon digitals llc	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 5	Bides Technologies	No	Complete	No	No	False	False	Approved	NONE
Bidder # 6	LexisNexis Risk Solutions FL Inc.	No	Complete	Yes	No	False	False	Approved	NONE

LOUISVILLE METRO HUMAN RELATIONS COMMISSION
GOOD FAITH EFFORT EVALUATIONS EVALUATED OCTOBER 2020 REPORTED NOVEMBER 2020

Bidder # 7	Environmental Systems Research Institute, Inc.	No	Incomplete	No	No	False	False	Denied	NONE
Bidder # 8	SKOPENOW INC.	No	Incomplete	No	No	False	False	Denied	NONE

GFE-1 Evaluations Bid Number: 210036**Needs Assessment for EMR, PMS, and Other Business and Billings System Related to COVID**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENT S
Bidder # 1	BERRY, DUNN, MCNEIL & PARKER LLC	No	Complete	Yes	No	False	False	Approved	NONE

GFE-1 Evaluations Bid Number: 210038**COVID Care Kits**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENT S
Bidder # 1	Trinity Enterprise Group LLC	No	Complete	No	No	True	False	Approved	NONE
Bidder # 2	Kan Heritage, Inc.	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 3	Buyer's Point, LLC	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 4	ParsonsKellogg	No	Complete	Yes	No	False	False	Approved	NONE

GFE-1 Evaluations Bid Number: 210041**Executive Search Firm Services**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENT S
Bidder # 1	DAVID GOMEZ PARTNERS	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 2	Crown Services, Inc.	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 3	BAKER TILLY US, LLP	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 4	Risch Results LLC	No	Complete	No	No	True	False	Approved	NONE
Bidder # 5	Consultechs, Inc.	No	Complete	No	No	True	False	Approved	NONE
Bidder # 6	Engineering & Executive Search	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 7	Randi Frank Consulting, LLC	No	Complete	No	No	True	False	Approved	NONE

GFE-1 Evaluations Bid Number: 210042**Work-Based Learning Platform**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENT S
Bidder # 1	WorkHere	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 2	Workbay LLC	No	Complete	Yes	No	False	False	Approved	NONE

GFE-1 Evaluations Bid Number: 210044**Repair Services for GMC Dump Trucks**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENT S
--	-------------------	------	-----------	------------------	-----------	----------------	-----------	--------------------	-----------

LOUISVILLE METRO HUMAN RELATIONS COMMISSION
GOOD FAITH EFFORT EVALUATIONS EVALUATED OCTOBER 2020 REPORTED NOVEMBER 2020

Bidder # 1	Palmer Trucks Inc	No	Complete	Yes	No	False	False	Approved	NONE
------------	-------------------	----	----------	-----	----	-------	-------	----------	------

GFE-1 Evaluations Bid Number: 210045**Repair Services for Kenworth Trucks**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENT S
Bidder # 1	Palmer Trucks Inc	No	Complete	Yes	No	False	False	Approved	NONE

GFE-1 Evaluations Bid Number: 210048**Demolition Services (Regular Demo)**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENT S
Bidder # 1	Complete Demolition Services LLC	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 2	Innovative Demolition Services	No	Complete	Yes	No	False	False	Approved	NONE

GFE-1 Evaluations Bid Number: 210049**Demolition Services (Landbank Owned)**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENT S
Bidder # 1	Complete Demolition Services LLC	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 2	Innovative Demolition Services	No	Complete	Yes	No	False	False	Approved	NONE

GFE-1 Evaluations Bid Number: 210050**Demolition Services (Asbestos Containing)**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENT S
Bidder # 1	Complete Demolition Services LLC	No	Complete	Yes	No	False	False	Approved	NONE

GFE-1 Evaluations Bid Number: 210053**DJ Leasing LLC**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENT S
Bidder # 1	DJ Leasing, LLC	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 2	ACME AUTO LEASING LLC	No	Complete	Yes	No	False	False	Approved	NONE

GFE-1 Evaluations Bid Number: 210058**Healthcare For Isolation**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENT S
Bidder # 1	AMI Expeditionary Healthcare, LLC	No	Complete	Yes	No	False	False	Approved	NONE

GFE-1 Evaluations Bid Number: 210063**Essential Needs Delivery - Rebid**

LOUISVILLE METRO HUMAN RELATIONS COMMISSION

GOOD FAITH EFFORT EVALUATIONS EVALUATED OCTOBER 2020 REPORTED NOVEMBER 2020

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENT S
Bidder # 1	CPI FOODS, INC	No	Complete	Yes	No	False	False	Approved	NONE

LOUISVILLE METRO HUMAN RELATIONS COMMISSION
GOOD FAITH EFFORT EVALUATIONS EVALUATED NOVEMBER 2020 REPORTED DECEMBER 2020

GFE-1 Evaluations Bid Number: 210034**Fire Ballistic Vest**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENTS
Bidder # 1	911 Fleet and Fire Equipment Holdings, Inc.	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 2	Con10gency Consulting, LLC	No	Complete	Yes	No	False	False	Approved	see attached
Bidder # 3	CW Williams Fire Equipment LLC	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 4	Dana Safety Supply, Inc.	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 5	Fire Armor, LLC	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 6	Fire Department Service & Supply	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 7	GALLS, LLC	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 8	Kiesler Police Supply, Inc	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 9	Municipal Emergency Services	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 10	SKIPS DEFENSE SOLUTIONS LLC	MBE	Complete	Yes	No	False	False	Approved	NONE
Bidder # 11	TYR Tactical	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 12	US Patriot Tactical LLC	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 13	VANCES LAW ENFORCEMENT	No	Complete	Yes	No	False	False	Approved	NONE

GFE-1 Evaluations Bid Number: 210037**Banking and Financial Services**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENTS
Bidder # 1	JPMorgan Chase Bank, N. A.	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 2	FIFTH THIRD BANK	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 3	US BANK NA	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 4	Payment Alliance International	No	Complete	No	No	False	False	Approved	Vendor contacted HRC office to find applicable subcontractors; no local MFHBE companies found to provide niche service of the RFP

LOUISVILLE METRO HUMAN RELATIONS COMMISSION
GOOD FAITH EFFORT EVALUATIONS EVALUATED NOVEMBER 2020 REPORTED DECEMBER 2020

Bidder # 5	Old National Bank	No	Complete	No	No	False	False	Approved	Vendor contacted HRC office to find applicable subcontractors; no local MFHBE companies found to provide niche service of the RFP
------------	-------------------	----	----------	----	----	-------	-------	----------	---

GFE-1 Evaluations Bid Number: 210040**Historic Archaeology Consultant**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENTS
Bidder # 1	Corn Island Archaeology LLC	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 2	Acheulean Consulting, LLC	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 3	S&ME Inc.	No	Complete	No	No	True	False	Approved	NONE

GFE-1 Evaluations Bid Number: 210056**Louisville Slugger Field Renovation - Phase 2**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENTS
Bidder # 1	Miranda Construction, LLC	No	Complete	No	No	True	False	Approved	NONE
Bidder # 2	Martin Construction Co	MBE	Complete	No	No	True	False	Approved	NONE

GFE-1 Evaluations Bid Number: 210057**Legislation Codification**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENTS
Bidder # 1	AMERICAN LEGAL PUBLISHING CORP	No	Complete	Yes	No	False	False	Approved	NONE

GFE-1 Evaluations Bid Number: 210060**Small Business Fund**

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENTS
Bidder # 1	Park Community Credit Union, Inc.	No	Complete	Yes	No	False	False	Approved	NONE
Bidder # 2	LHOME	No	Complete	Yes	No	False	False	Approved	NONE

GFE-1 Evaluations Bid Number: 210069**Bulk Salt - Rebid**

LOUISVILLE METRO HUMAN RELATIONS COMMISSION
GOOD FAITH EFFORT EVALUATIONS EVALUATED NOVEMBER 2020 REPORTED DECEMBER 2020

	Contractor/Bidder	Cert	GFE Forms	Self-Perform ALL	NEED GFE2	MWDIBE CONTACT	OTHER GFE	HRC Staff Approved	COMMENTS
Bidder # 1	Brenntag Mid-South Inc	No	Complete	No	No	False	False	Approved	Non-MFHBE vendor contacted as they are the only salt supplier for the Louisville market
Bidder # 2	Aquatic Resources Center, Inc.	No	Complete	No	No	False	False	Approved	Non-MFHBE vendor contacted as they are the only salt supplier for the Louisville market

Vendor Management Activity

Louisville Metro Government Human Relations Commission

November 2020

Questionnaire Status Summary	
Status	Count
Questionnaires Reviewed	
Accepted	47
Denied	0
Total Reviewed:	36
Pending Review	0
Abandoned & Deleted in the past 90 days	0
Deactivated	0
Expired	0
Incomplete	0
Returned	1
Withdrawn (Vendor)	1
Total (All Questionnaires):	49

Vendor List

Questionnaire Name	Status	Name	Submitted	Decision	# Days
Louisville Metro Government HRC Vendor Prequalification	Accepted	ABN Restoration, Inc.	11/23/2020	11/23/2020	0
		Academy of Music Production Education and	11/6/2020	11/6/2020	0
		AMI Expeditionary Healthcare, LLC	11/4/2020	11/4/2020	0
		Anderson Mulch & Soil, LLC	11/12/2020	11/12/2020	0
		Associated Railroad Contractors, Inc.	11/2/2020	11/2/2020	0
		Bay Promo	11/6/2020	11/9/2020	3
		Bornstein General Contracting 1890	11/3/2020	11/3/2020	0
		Canteen Service Company of Kentuckiana Inc	11/17/2020	11/17/2020	0
		Complete Demolition Services LLC	11/9/2020	11/9/2020	0
		DAVID GOMEZ PARTNERS	11/23/2020	11/23/2020	0
		Fieldtrip, LLC	11/19/2020	11/19/2020	0
		GASK CONSULTANTS LLC	11/2/2020	11/2/2020	0
		Goodwill Industries of Kentucky, Inc.	11/13/2020	11/16/2020	3
		Innovative Interfaces, Inc.	11/4/2020	11/4/2020	0
		Innovative Quality Solutions, Inc	11/3/2020	11/3/2020	0
		Integrated Engineering / Prime AE	11/13/2020	11/13/2020	0
		JJI Express Inc.	11/19/2020	11/20/2020	1
		Louisville Central Community Centers, Inc.	11/16/2020	11/17/2020	1
		Louisville Production Services	11/5/2020	11/6/2020	1

Vendor Management Activity

Louisville Metro Government Human Relations Commission

		Lockett & Farley Architects & Engineers	11/25/2020	11/25/2020	0
		Lynn Blue Print and Supply Co., Inc.	11/24/2020	11/24/2020	0
		Medical Repair Inc dba EMSAR Central	11/12/2020	11/12/2020	0
		Metric Environmental, LLC	11/20/2020	11/20/2020	0
		Morgan Security Services, LLC	11/13/2020	11/13/2020	0
		Park Community Credit Union, Inc.	11/5/2020	11/5/2020	0
		PHILPOT HAY COMPANY	11/24/2020	11/24/2020	0
		POM, INC.	11/17/2020	11/17/2020	0
		ProQuest LLC	11/3/2020	11/3/2020	0
		Saf-Ti-Co, Inc.	11/3/2020	11/3/2020	0
		Sister to Sister Janitorial	11/10/2020	11/11/2020	1
		Specific Waste Industries	11/20/2020	11/20/2020	0
		Thermeq Company	11/17/2020	11/17/2020	0
		THP LIMITED	11/3/2020	11/3/2020	0
		TopLine Results Corporation	11/19/2020	11/20/2020	1
		Vaughn Petitt Legal Group, PLLC	11/10/2020	11/10/2020	0
		WOOD ENVIRONMENT & INFRASTRUCTURE	11/10/2020	11/10/2020	0
				Average Days:	0.31
	Returned	Super Beauti	11/18/2020	11/18/2020	0
				Average Days:	0.00
	Withdrawn	Morgan Security Services, LLC	11/12/2020	N/A	
				Average Days:	N/A
Louisville Metro Government HRC Vendor Registration	Auto-Accepted	Bobcat Enterprises, Inc.	11/30/2020	11/30/2020	0
		Frontline eSolutions, LLC	11/4/2020	11/4/2020	0
		Louisville Grows, Inc.	11/25/2020	11/25/2020	0
		Louisville Production Services	11/5/2020	11/5/2020	0
		Muncie Novelty Company	11/6/2020	11/6/2020	0
		N. Leonard Real Estate Services, LLC	11/24/2020	11/24/2020	0
		Noopa Holdings LLC	11/30/2020	11/30/2020	0
		POM, INC.	11/13/2020	11/13/2020	0
		Specific Waste Industries	11/20/2020	11/20/2020	0
		Thermeq Company	11/10/2020	11/10/2020	0
		University of Kentucky Research Foundation	11/12/2020	11/12/2020	0
				Average Days:	0.00

Exhibit 6

Run : 01/11/2021

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Page 7 of 17

Time : 08:41:18

RESOLUTIONS REPORT

REPORTING PERIOD : 01/01/2010 - 12/31/2010

24J-Louisville/Jefferson County Metro Human Relations Comm

Function: I Unit: 1 Staff: Lawfer, Esq, Martha A

FEPA Number	CP Name	R	Office	Charge	Cause	Closure	Clos		Benefits		On Site	Staff	Proc	Proc T	Staff	
EEOC Number	Respondent	Tp	Date	Date	Date	Date	Cd	Statutes	Ind	Dollar	NOT	Initia	F/U	Time	w/exc	Age

Staff: Lawfer, Esq, Martha A

Total Resolutions: 56

Resolutions	Title VII	ADEA	VII / ADEA	EPA	VII / EPA	ADA	ADEA / ADA	GINA	FEPA Only	FEPA/Federal	Other	Total
Settlements	1	0	0	0	0	0	0	0	1	0	0	2
W/Draw w/ Benefits	0	0	0	0	0	0	0	0	0	0	0	0
Suc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
Unsuc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
No Cause	28	3	3	0	0	1	0	0	6	1	0	42
Admin Resolution	2	0	0	0	0	0	0	0	10	0	0	12
TOTAL	31	3	3	0	0	1	0	0	17	1	0	56

Individual Benefits	Non-Mon	Monetary	Comp / Pun	Total	Total \$	Comp / Pun \$
Title VII	0	1	0	1	\$ 6000	\$ 0
ADEA	0	0	0	0	\$ 0	\$ 0
Title VII / ADEA	0	0	0	0	\$ 0	\$ 0
EPA	0	0	0	0	\$ 0	\$ 0
Title VII / EPA	0	0	0	0	\$ 0	\$ 0
ADA	0	0	0	0	\$ 0	\$ 0
ADEA / ADA	0	0	0	0	\$ 0	\$ 0
GINA	0	0	0	0	\$ 0	\$ 0
FEPA Only	1	0	0	1	\$ 0	\$ 0
FEPA Federal	0	0	0	0	\$ 0	\$ 0
Other	0	0	0	0	\$ 0	\$ 0
TOTAL	1	1	0	2	\$ 6000	\$ 0

Avg Charge Age = 335
 Avg Office Age = 335
 Avg Proc. Time = 335
 Avg Staff Age = 333

Total Admin. Resolut. : 12 Accountable 180 Day : 11 Total Staff : 1
 % Admin. Resolut. : 21.4 % Acct. 180 Day : 19.6 Avg # Cls Per Stf : 56
 Total On-Site Investg : 0 Total Cause Finding : 0 Total Unassigned : 0
 % On-Site Investg : 0.0 % Cause Finding : 0.0

Proposed Relief - Cause Cases
 E - Equitable Relief (EQ) = 0 - 0.0%
 C - Compensatory Damages (CD) = 0 - 0.0%
 P - Punitive Damages (PD) = 0 - 0.0%
 No Relief = 0

Charge with an (*) indicates that it was electronically retrieved

Run : 01/11/2021
 Time : 08:41:18

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
 RESOLUTIONS REPORT
 REPORTING PERIOD : 01/01/2010 - 12/31/2010**

Page 13 of 17

24J-Louisville/Jefferson County Metro Human Relations Comm

Function: I Unit: 1 Staff: Rogers, Harold T

FEPA Number	CP Name	R	Office	Charge	Cause	Closure	Clos		Benefits		Staff		Proc	Proc T	Staff		
EEOC Number	Respondent	T	Date	Date	Date	Date	Cd	Statutes	Ind	Dollar	NOT	On Site	Initia	F/U	Time	w/exc	Age

Staff: Rogers, Harold T

Total Resolutions: 56

Resolutions	Title VII	ADEA	VII / ADEA	EPA	VII / EPA	ADA	ADEA / ADA	GINA	FEPA Only	FEPA/Federal	Other	Total
Settlements	4	0	0	0	0	2	0	0	4	1	0	11
W/Draw w/ Benefits	0	0	0	0	0	0	0	0	0	0	0	0
Suc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
Unsuc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
No Cause	12	1	0	0	0	2	0	0	16	5	0	36
Admin Resolution	4	1	0	0	0	0	0	0	4	0	0	9
TOTAL	20	2	0	0	0	4	0	0	24	6	0	56

Individual Benefits	Non-Mon	Monetary	Comp / Pun	Total	Total \$	Comp / Pun \$
Title VII	0	4	0	4	\$ 1241.25	\$ 0
ADEA	0	0	0	0	\$ 0	\$ 0
Title VII / ADEA	0	0	0	0	\$ 0	\$ 0
EPA	0	0	0	0	\$ 0	\$ 0
Title VII / EPA	0	0	0	0	\$ 0	\$ 0
ADA	0	2	0	2	\$ 18000	\$ 0
ADEA / ADA	0	0	0	0	\$ 0	\$ 0
GINA	0	0	0	0	\$ 0	\$ 0
FEPA Only	2	2	0	4	\$ 2100	\$ 0
FEPA Federal	0	1	0	1	\$ 10000	\$ 0
Other	0	0	0	0	\$ 0	\$ 0
TOTAL	2	9	0	11	\$ 31341.25	\$ 0

Avg Charge Age = 192
 Avg Office Age = 192
 Avg Proc. Time = 192
 Avg Staff Age = 182

Total Admin. Resolut. : 9 Accountable 180 Day : 32 Total Staff : 1
 % Admin. Resolut. : 16.1 % Acct. 180 Day : 57.1 Avg # CIs Per Stf : 56
 Total On-Site Investg : 0 Total Cause Finding : 0 Total Unassigned : 0
 % On-Site Investg : 0.0 % Cause Finding : 0.0

Proposed Relief - Cause Cases
 E - Equitable Relief (EQ) = 0 - 0.0%
 C - Compensatory Damages (CD) = 0 - 0.0%
 P - Punitive Damages (PD) = 0 - 0.0%
 No Relief = 0

Charge with an (*) indicates that it was electronically retrieved

Run : 01/11/2021

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Page 14 of 17

Time : 08:41:18

RESOLUTIONS REPORT

REPORTING PERIOD : 01/01/2010 - 12/31/2010

24J-Louisville/Jefferson County Metro Human Relations Comm

Unit: 1

Total Resolutions: 112

Resolutions	Title VII	ADEA	VII / ADEA	EPA	VII / EPA	ADA	ADEA / ADA	GINA	FEPA Only	FEPA/Federal	Other	Total
Settlements	5	0	0	0	0	2	0	0	5	1	0	13
W/Draw w/ Benefits	0	0	0	0	0	0	0	0	0	0	0	0
Suc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
Unsuc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
No Cause	40	4	3	0	0	3	0	0	22	6	0	78
Admin Resolution	6	1	0	0	0	0	0	0	14	0	0	21
TOTAL	51	5	3	0	0	5	0	0	41	7	0	112

Individual Benefits	Non-Mon	Monetary	Comp / Pun	Total	Total \$	Comp / Pun \$
Title VII	0	5	0	5	\$ 7241.25	\$ 0
ADEA	0	0	0	0	\$ 0	\$ 0
Title VII / ADEA	0	0	0	0	\$ 0	\$ 0
EPA	0	0	0	0	\$ 0	\$ 0
Title VII / EPA	0	0	0	0	\$ 0	\$ 0
ADA	0	2	0	2	\$ 18000	\$ 0
ADEA / ADA	0	0	0	0	\$ 0	\$ 0
GINA	0	0	0	0	\$ 0	\$ 0
FEPA Only	3	2	0	5	\$ 2100	\$ 0
FEPA Federal	0	1	0	1	\$ 10000	\$ 0
Other	0	0	0	0	\$ 0	\$ 0
TOTAL	3	10	0	13	\$ 37341.25	\$ 0

Avg Charge Age = 263
 Avg Office Age = 263
 Avg Proc. Time = 263
 Avg Staff Age = 258

Total Admin. Resolut. : 21 Accountable 180 Day : 43 Total Staff : 2
 % Admin. Resolut. : 18.8 % Acct. 180 Day : 38.4 Avg # Cts Per Stf : 56
 Total On-Site Investg : 0 Total Cause Finding : 0 Total Unassigned : 0
 % On-Site Investg : 0.0 % Cause Finding : 0.0

Proposed Relief - Cause Cases
 E - Equitable Relief (EQ) = 0 - 0.0%
 C - Compensatory Damages (CD) = 0 - 0.0%
 P - Punitive Damages (PD) = 0 - 0.0%
 No Relief = 0

Charge with an (*) indicates that it was electronically retrieved

Run : 01/11/2021
 Time : 08:41:18

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
 RESOLUTIONS REPORT
 REPORTING PERIOD : 01/01/2010 - 12/31/2010**

Page 15 of 17

24J-Louisville/Jefferson County Metro Human Relations Comm

Function: I

Total Resolutions: 112

Resolutions	Title VII	ADEA	VII / ADEA	EPA	VII / EPA	ADA	ADEA / ADA	GINA	FEPA Only	FEPA/Federal	Other	Total
Settlements	5	0	0	0	0	2	0	0	5	1	0	13
W/Draw w/ Benefits	0	0	0	0	0	0	0	0	0	0	0	0
Suc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
Unsuc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
No Cause	40	4	3	0	0	3	0	0	22	6	0	78
Admin Resolution	6	1	0	0	0	0	0	0	14	0	0	21
TOTAL	51	5	3	0	0	5	0	0	41	7	0	112

Individual Benefits	Non-Mon	Monetary	Comp / Pun	Total	Total \$	Comp / Pun \$
Title VII	0	5	0	5	\$ 7241.25	\$ 0
ADEA	0	0	0	0	\$ 0	\$ 0
Title VII / ADEA	0	0	0	0	\$ 0	\$ 0
EPA	0	0	0	0	\$ 0	\$ 0
Title VII / EPA	0	0	0	0	\$ 0	\$ 0
ADA	0	2	0	2	\$ 18000	\$ 0
ADEA / ADA	0	0	0	0	\$ 0	\$ 0
GINA	0	0	0	0	\$ 0	\$ 0
FEPA Only	3	2	0	5	\$ 2100	\$ 0
FEPA Federal	0	1	0	1	\$ 10000	\$ 0
Other	0	0	0	0	\$ 0	\$ 0
TOTAL	3	10	0	13	\$ 37341.25	\$ 0

Avg Charge Age = 263
 Avg Office Age = 263
 Avg Proc. Time = 263
 Avg Staff Age = 258

Total Admin. Resolut. : 21 Accountable 180 Day : 43 Total Staff : 2
 % Admin. Resolut. : 18.8 % Acct. 180 Day : 38.4 Avg # Cls Per Stf : 56
 Total On-Site Investg : 0 Total Cause Finding : 0 Total Unassigned : 0
 % On-Site Investg : 0.0 % Cause Finding : 0.0

Proposed Relief - Cause Cases
 E - Equitable Relief (EQ) = 0 - 0.0%
 C - Compensatory Damages (CD) = 0 - 0.0%
 P - Punitive Damages (PD) = 0 - 0.0%
 No Relief = 0

Charge with an (*) indicates that it was electronically retrieved

Run : 01/11/2021
 Time : 08:41:18

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
RESOLUTIONS REPORT
 REPORTING PERIOD : 01/01/2010 - 12/31/2010

Page 16 of 17

24J-Louisville/Jefferson County Metro Human Relations Comm

REPORT SUMMARY

Total Resolutions: 112

Resolutions	Title VII	ADEA	VII / ADEA	EPA	VII / EPA	ADA	ADEA / ADA	GINA	FEPA Only	FEPA/Federal	Other	Total
Settlements	5	0	0	0	0	2	0	0	5	1	0	13
W/Draw w/ Benefits	0	0	0	0	0	0	0	0	0	0	0	0
Suc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
Unsuc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
No Cause	40	4	3	0	0	3	0	0	22	6	0	78
Admin Resolution	6	1	0	0	0	0	0	0	14	0	0	21
TOTAL	51	5	3	0	0	5	0	0	41	7	0	112

Individual Benefits	Non-Mon	Monetary	Comp / Pun	Total	Total \$	Comp / Pun \$
Title VII	0	5	0	5	\$ 7241.25	\$ 0
ADEA	0	0	0	0	\$ 0	\$ 0
Title VII / ADEA	0	0	0	0	\$ 0	\$ 0
EPA	0	0	0	0	\$ 0	\$ 0
Title VII / EPA	0	0	0	0	\$ 0	\$ 0
ADA	0	2	0	2	\$ 18000	\$ 0
ADEA / ADA	0	0	0	0	\$ 0	\$ 0
GINA	0	0	0	0	\$ 0	\$ 0
FEPA Only	3	2	0	5	\$ 2100	\$ 0
FEPA Federal	0	1	0	1	\$ 10000	\$ 0
Other	0	0	0	0	\$ 0	\$ 0
TOTAL	3	10	0	13	\$ 37341.25	\$ 0

Avg Charge Age = 263
 Avg Office Age = 263
 Avg Proc. Time = 263
 Avg Staff Age = 258

Total Admin. Resolut. : 21 Accountable 180 Day : 43 Total Staff : 2
 % Admin. Resolut. : 18.8 % Acct. 180 Day : 38.4 Avg # Cls Per Stf : 56
 Total On-Site Investg : 0 Total Cause Finding : 0 Total Unassigned : 0
 % On-Site Investg : 0.0 % Cause Finding : 0.0

Proposed Relief - Cause Cases
 E - Equitable Relief (EQ) = 0 - 0.0%
 C - Compensatory Damages (CD) = 0 - 0.0%
 P - Punitive Damages (PD) = 0 - 0.0%
 No Relief = 0

Charge with an (*) indicates that it was electronically retrieved

Run : 01/11/2021
Time : 08:41:18

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
RESOLUTIONS REPORT
REPORTING PERIOD : 01/01/2010 - 12/31/2010

Page 17 of 17

24J-Louisville/Jefferson County Metro Human Relations Comm

Scope : My Office
Reporting Office : 24J - Louisville/Jefferson County Metro Human Relations Comm
User Initial : BAK

USER SELECTIONS

Reporting From : 1/01/2010
Reporting To : 12/31/2010
Received From :
Received To :
Staff :
Function :
Unit :
Process Type :
Statute :
Comments Included : Y
Page Break : S
Details : Y
Item Sort : Charging Party Name
Local Office : 01

Run : 01/11/2021
Time : 08:43:30

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
RESOLUTIONS REPORT
REPORTING PERIOD : 01/01/2011 - 12/31/2011**

Page 8 of 19

24J-Louisville/Jefferson County Metro Human Relations Comm

Function: I Unit: 1 Staff: Lawfer, Esq, Martha A

FEPA Number	CP Name	R	Office	Charge	Cause	Closure	Clos	Statutes	Ind	Benefits	On Site	Staff	Proc	Proc T	Staff	
EEOC Number	Respondent	Tp	Date	Date	Date	Date	Cd			Dollar	NOT	Initia	F/U	Time	w/exc	Age

Staff: Lawfer, Esq, Martha A

Total Resolutions: 73

Resolutions	Title VII	ADEA	VII / ADEA	EPA	VII / EPA	ADA	ADEA / ADA	GINA	FEPA Only	FEPA/Federal	Other	Total
Settlements	1	0	0	0	0	0	0	0	1	0	1	3
W/Draw w/ Benefits	0	0	0	0	0	0	0	0	0	0	0	0
Suc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
Unsuc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
No Cause	24	3	1	0	0	7	0	0	17	2	0	54
Admin Resolution	5	1	1	0	0	0	0	0	8	0	1	16
TOTAL	30	4	2	0	0	7	0	0	26	2	2	73

Individual Benefits	Non-Mon	Monetary	Comp / Pun	Total	Total \$	Comp / Pun \$
Title VII	0	1	0	1	\$ 1000	\$ 0
ADEA	0	0	0	0	\$ 0	\$ 0
Title VII / ADEA	0	0	0	0	\$ 0	\$ 0
EPA	0	0	0	0	\$ 0	\$ 0
Title VII / EPA	0	0	0	0	\$ 0	\$ 0
ADA	0	0	0	0	\$ 0	\$ 0
ADEA / ADA	0	0	0	0	\$ 0	\$ 0
GINA	0	0	0	0	\$ 0	\$ 0
FEPA Only	0	1	1	1	\$ 23000	\$ 10000
FEPA Federal	0	0	0	0	\$ 0	\$ 0
Other	0	1	1	1	\$ 21000	\$ 17000
TOTAL	0	3	2	3	\$ 45000	\$ 27000

Avg Charge Age = 332
Avg Office Age = 332
Avg Proc. Time = 332
Avg Staff Age = 326

Total Admin. Resolut. :	16	Accountable 180 Day :	21	Total Staff :	1
% Admin. Resolut. :	21.9	% Acct. 180 Day :	28.8	Avg # Cls Per Stf :	73
				Total Unassigned :	0
Total On-Site Investg :	0	Total Cause Finding :	0		
% On-Site Investg :	0.0	% Cause Finding :	0.0		

Proposed Relief - Cause Cases
E - Equitable Relief (EQ) = 0 - 0.0%
C - Compensatory Damages (CD) = 0 - 0.0%
P - Punitive Damages (PD) = 0 - 0.0%
No Relief = 0

Charge with an (*) indicates that it was electronically retrieved

Run : 01/11/2021
Time : 08:43:30

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
RESOLUTIONS REPORT
REPORTING PERIOD : 01/01/2011 - 12/31/2011**

Page 13 of 19

24J-Louisville/Jefferson County Metro Human Relations Comm

Function: I Unit: 1 Staff: Rogers, Harold T

FEPA Number	CP Name	R	Office	Charge	Cause	Closure	Clos		Benefits		Staff		Proc	Proc T	Staff			
EEOC Number	Respondent	T	Date	Date	Date	Date	Cd	Statutes	Ind	Dollar	NOT	On Site	Initia	Date	F/U	Time	w/exc	Age

Staff: Rogers, Harold T

Total Resolutions: 44

Resolutions	Title VII	ADEA	VII / ADEA	EPA	VII / EPA	ADA	ADEA / ADA	GINA	FEPA Only	FEPA/Federal	Other	Total
Settlements	3	0	0	0	0	2	0	0	1	0	0	6
W/Draw w/ Benefits	0	0	0	0	0	0	0	0	0	0	0	0
Suc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
Unsuc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
No Cause	9	0	0	0	0	6	0	0	11	0	0	26
Admin Resolution	5	0	2	0	0	0	0	0	5	0	0	12
TOTAL	17	0	2	0	0	8	0	0	17	0	0	44

Individual Benefits	Non-Mon	Monetary	Comp / Pun	Total	Total \$	Comp / Pun \$
Title VII	1	2	0	3	\$ 10000	\$ 0
ADEA	0	0	0	0	\$ 0	\$ 0
Title VII / ADEA	0	0	0	0	\$ 0	\$ 0
EPA	0	0	0	0	\$ 0	\$ 0
Title VII / EPA	0	0	0	0	\$ 0	\$ 0
ADA	2	0	0	2	\$ 0	\$ 0
ADEA / ADA	0	0	0	0	\$ 0	\$ 0
GINA	0	0	0	0	\$ 0	\$ 0
FEPA Only	1	0	0	1	\$ 0	\$ 0
FEPA Federal	0	0	0	0	\$ 0	\$ 0
Other	0	0	0	0	\$ 0	\$ 0
TOTAL	4	2	0	6	\$ 10000	\$ 0

Avg Charge Age = 241
Avg Office Age = 241
Avg Proc. Time = 241
Avg Staff Age = 183

Total Admin. Resolut. :	12	Accountable 180 Day :	19	Total Staff :	1
% Admin. Resolut. :	27.3	% Acct. 180 Day :	43.2	Avg # Cls Per Stf :	44
				Total Unassigned :	0
Total On-Site Investg :	0	Total Cause Finding :	0		
% On-Site Investg :	0.0	% Cause Finding :	0.0		

Proposed Relief - Cause Cases
E - Equitable Relief (EQ) = 0 - 0.0%
C - Compensatory Damages (CD) = 0 - 0.0%
P - Punitive Damages (PD) = 0 - 0.0%
No Relief = 0

Charge with an (*) indicates that it was electronically retrieved

Run : 01/11/2021
Time : 08:43:30

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
RESOLUTIONS REPORT
REPORTING PERIOD : 01/01/2011 - 12/31/2011**

Page 15 of 19

24J-Louisville/Jefferson County Metro Human Relations Comm

Function: I Unit: 1 Staff: Smith, Richard L

FEPa Number	CP Name	R	Office	Charge	Cause	Closure	Clos		Benefits		Staff		Proc	Proc T	Staff
EEOC Number	Respondent	T	Date	Date	Date	Date	Cd	Statutes	Ind Dollar NOT	On Site	Initia Date	F/U	Time	w/exc	Age

Staff: Smith, Richard L

Total Resolutions: 7

Resolutions	Title VII	ADEA	VII / ADEA	EPA	VII / EPA	ADA	ADEA / ADA	GINA	FEPA Only	FEPA/Federal	Other	Total
Settlements	0	0	0	0	0	1	0	0	1	0	0	2
W/Draw w/ Benefits	0	0	0	0	0	0	0	0	0	0	0	0
Suc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
Unsuc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
No Cause	0	0	0	0	0	0	0	0	0	0	0	0
Admin Resolution	1	1	0	0	0	0	0	0	1	0	2	5
TOTAL	1	1	0	0	0	1	0	0	2	0	2	7

Individual Benefits	Non-Mon	Monetary	Comp / Pun	Total	Total \$	Comp / Pun \$
Title VII	0	0	0	0	\$ 0	\$ 0
ADEA	0	0	0	0	\$ 0	\$ 0
Title VII / ADEA	0	0	0	0	\$ 0	\$ 0
EPA	0	0	0	0	\$ 0	\$ 0
Title VII / EPA	0	0	0	0	\$ 0	\$ 0
ADA	1	0	0	1	\$ 0	\$ 0
ADEA / ADA	0	0	0	0	\$ 0	\$ 0
GINA	0	0	0	0	\$ 0	\$ 0
FEPA Only	1	1	0	1	\$ 1000	\$ 0
FEPA Federal	0	0	0	0	\$ 0	\$ 0
Other	0	0	0	0	\$ 0	\$ 0
TOTAL	2	1	0	2	\$ 1000	\$ 0

Avg Charge Age = 129
Avg Office Age = 129
Avg Proc. Time = 129
Avg Staff Age = 26

Total Admin. Resolut. : 5 Accountable 180 Day : 5 Total Staff : 1
% Admin. Resolut. : 71.4 % Acct. 180 Day : 71.4 Avg # Cls Per Stf : 7
Total On-Site Investg : 0 Total Cause Finding : 0 Total Unassigned : 0
% On-Site Investg : 0.0 % Cause Finding : 0.0

Proposed Relief - Cause Cases
E - Equitable Relief (EQ) = 0 - 0.0%
C - Compensatory Damages (CD) = 0 - 0.0%
P - Punitive Damages (PD) = 0 - 0.0%
No Relief = 0

Charge with an (*) indicates that it was electronically retrieved

Run : 01/11/2021
Time : 08:43:30

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
RESOLUTIONS REPORT
REPORTING PERIOD : 01/01/2011 - 12/31/2011

Page 16 of 19

24J-Louisville/Jefferson County Metro Human Relations Comm

Unit: 1

Total Resolutions: 124

Resolutions	Title VII	ADEA	VII / ADEA	EPA	VII / EPA	ADA	ADEA / ADA	GINA	FEPA Only	FEPA/Federal	Other	Total
Settlements	4	0	0	0	0	3	0	0	3	0	1	11
W/Draw w/ Benefits	0	0	0	0	0	0	0	0	0	0	0	0
Suc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
Unsuc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
No Cause	33	3	1	0	0	13	0	0	28	2	0	80
Admin Resolution	11	2	3	0	0	0	0	0	14	0	3	33
TOTAL	48	5	4	0	0	16	0	0	45	2	4	124

Individual Benefits	Non-Mon	Monetary	Comp / Pun	Total	Total \$	Comp / Pun \$
Title VII	1	3	0	4	\$ 11000	\$ 0
ADEA	0	0	0	0	\$ 0	\$ 0
Title VII / ADEA	0	0	0	0	\$ 0	\$ 0
EPA	0	0	0	0	\$ 0	\$ 0
Title VII / EPA	0	0	0	0	\$ 0	\$ 0
ADA	3	0	0	3	\$ 0	\$ 0
ADEA / ADA	0	0	0	0	\$ 0	\$ 0
GINA	0	0	0	0	\$ 0	\$ 0
FEPA Only	2	2	1	3	\$ 24000	\$ 10000
FEPA Federal	0	0	0	0	\$ 0	\$ 0
Other	0	1	1	1	\$ 21000	\$ 17000
TOTAL	6	6	2	11	\$ 56000	\$ 27000

Avg Charge Age = 288
Avg Office Age = 288
Avg Proc. Time = 288
Avg Staff Age = 259

Total Admin. Resolut. : 33 Accountable 180 Day : 45 Total Staff : 3
% Admin. Resolut. : 26.6 % Acct. 180 Day : 36.3 Avg # Cls Per Stf : 41
Total On-Site Investg : 0 Total Cause Finding : 0 Total Unassigned : 0
% On-Site Investg : 0.0 % Cause Finding : 0.0

Proposed Relief - Cause Cases
E - Equitable Relief (EQ) = 0 - 0.0%
C - Compensatory Damages (CD) = 0 - 0.0%
P - Punitive Damages (PD) = 0 - 0.0%
No Relief = 0

Charge with an (*) indicates that it was electronically retrieved

Run : 01/11/2021
 Time : 08:43:30

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
RESOLUTIONS REPORT
 REPORTING PERIOD : 01/01/2011 - 12/31/2011

Page 17 of 19

24J-Louisville/Jefferson County Metro Human Relations Comm

Function: I

Total Resolutions: 124

Resolutions	Title VII	ADEA	VII / ADEA	EPA	VII / EPA	ADA	ADEA / ADA	GINA	FEPA Only	FEPA/Federal	Other	Total
Settlements	4	0	0	0	0	3	0	0	3	0	1	11
W/Draw w/ Benefits	0	0	0	0	0	0	0	0	0	0	0	0
Suc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
Unsuc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
No Cause	33	3	1	0	0	13	0	0	28	2	0	80
Admin Resolution	11	2	3	0	0	0	0	0	14	0	3	33
TOTAL	48	5	4	0	0	16	0	0	45	2	4	124

Individual Benefits	Non-Mon	Monetary	Comp / Pun	Total	Total \$	Comp / Pun \$
Title VII	1	3	0	4	\$ 11000	\$ 0
ADEA	0	0	0	0	\$ 0	\$ 0
Title VII / ADEA	0	0	0	0	\$ 0	\$ 0
EPA	0	0	0	0	\$ 0	\$ 0
Title VII / EPA	0	0	0	0	\$ 0	\$ 0
ADA	3	0	0	3	\$ 0	\$ 0
ADEA / ADA	0	0	0	0	\$ 0	\$ 0
GINA	0	0	0	0	\$ 0	\$ 0
FEPA Only	2	2	1	3	\$ 24000	\$ 10000
FEPA Federal	0	0	0	0	\$ 0	\$ 0
Other	0	1	1	1	\$ 21000	\$ 17000
TOTAL	6	6	2	11	\$ 56000	\$ 27000

Avg Charge Age = 288
 Avg Office Age = 288
 Avg Proc. Time = 288
 Avg Staff Age = 259

Total Admin. Resolut. : 33 Accountable 180 Day : 45 Total Staff : 3
 % Admin. Resolut. : 26.6 % Acct. 180 Day : 36.3 Avg # CIs Per Stf : 41
 Total On-Site Investg : 0 Total Cause Finding : 0 Total Unassigned : 0
 % On-Site Investg : 0.0 % Cause Finding : 0.0

Proposed Relief - Cause Cases
 E - Equitable Relief (EQ) = 0 - 0.0%
 C - Compensatory Damages (CD) = 0 - 0.0%
 P - Punitive Damages (PD) = 0 - 0.0%
 No Relief = 0

Charge with an (*) indicates that it was electronically retrieved

Run : 01/11/2021
 Time : 08:43:30

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
RESOLUTIONS REPORT
 REPORTING PERIOD : 01/01/2011 - 12/31/2011

Page 18 of 19

24J-Louisville/Jefferson County Metro Human Relations Comm

REPORT SUMMARY

Total Resolutions: 124

Resolutions	Title VII	ADEA	VII / ADEA	EPA	VII / EPA	ADA	ADEA / ADA	GINA	FEPA Only	FEPA/Federal	Other	Total
Settlements	4	0	0	0	0	3	0	0	3	0	1	11
W/Draw w/ Benefits	0	0	0	0	0	0	0	0	0	0	0	0
Suc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
Unsuc Conciliation	0	0	0	0	0	0	0	0	0	0	0	0
No Cause	33	3	1	0	0	13	0	0	28	2	0	80
Admin Resolution	11	2	3	0	0	0	0	0	14	0	3	33
TOTAL	48	5	4	0	0	16	0	0	45	2	4	124

Individual Benefits	Non-Mon	Monetary	Comp / Pun	Total	Total \$	Comp / Pun \$
Title VII	1	3	0	4	\$ 11000	\$ 0
ADEA	0	0	0	0	\$ 0	\$ 0
Title VII / ADEA	0	0	0	0	\$ 0	\$ 0
EPA	0	0	0	0	\$ 0	\$ 0
Title VII / EPA	0	0	0	0	\$ 0	\$ 0
ADA	3	0	0	3	\$ 0	\$ 0
ADEA / ADA	0	0	0	0	\$ 0	\$ 0
GINA	0	0	0	0	\$ 0	\$ 0
FEPA Only	2	2	1	3	\$ 24000	\$ 10000
FEPA Federal	0	0	0	0	\$ 0	\$ 0
Other	0	1	1	1	\$ 21000	\$ 17000
TOTAL	6	6	2	11	\$ 56000	\$ 27000

Avg Charge Age = 288
 Avg Office Age = 288
 Avg Proc. Time = 288
 Avg Staff Age = 259

Total Admin. Resolut. : 33 Accountable 180 Day : 45 Total Staff : 3
 % Admin. Resolut. : 26.6 % Acct. 180 Day : 36.3 Avg # Cls Per Stf : 41
 Total On-Site Investg : 0 Total Cause Finding : 0 Total Unassigned : 0
 % On-Site Investg : 0.0 % Cause Finding : 0.0

Proposed Relief - Cause Cases
 E - Equitable Relief (EQ) = 0 - 0.0%
 C - Compensatory Damages (CD) = 0 - 0.0%
 P - Punitive Damages (PD) = 0 - 0.0%
 No Relief = 0

Charge with an (*) indicates that it was electronically retrieved

Run : 01/11/2021
Time : 08:43:30

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
RESOLUTIONS REPORT
REPORTING PERIOD : 01/01/2011 - 12/31/2011

Page 19 of 19

24J-Louisville/Jefferson County Metro Human Relations Comm

Scope : My Office
Reporting Office : 24J - Louisville/Jefferson County Metro Human Relations Comm
User Initial : BAK

USER SELECTIONS

Reporting From : 1/01/2011
Reporting To : 12/31/2011
Received From :
Received To :
Staff :
Function :
Unit :
Process Type :
Statute :
Comments Included : Y
Page Break : S
Details : Y
Item Sort : Charging Party Name
Local Office : 01

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION**

<p>CHELSEY NELSON PHOTOGRAPHY LLC and CHELSEY NELSON,</p> <p style="text-align: center;">Plaintiffs,</p> <p>v.</p> <p>LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, et al.,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 3:19-cv-851-JRW</p>
---	--

**[PROPOSED] ORDER GRANTING
DEFENDANTS’ MOTION FOR PROTECTIVE ORDER**

Defendants Louisville/Jefferson County Metro Government, Louisville Metro Human Relations Commission – Enforcement, Louisville Metro Human Relations Commission – Advocacy, Verná Goatley, in her official capacity as Executive Director of the HRC, Marie Dever, Kevin Delahanty, Charles Lanier, Sr., Leslie Faust, William Sutter, Ibrahim Syed, and Leonard Thomas, in their official capacities as members of the Louisville Metro Human Relations Commission-Enforcement (collectively, “Defendants”) have filed a Motion for Protective Order to limit the scope of discovery to be produced in response to certain requests for production of documents and interrogatories propounded by Plaintiffs Chelsey Nelson Photography and Chelsey Nelson (collectively, “Plaintiffs”).

For the reasons set forth in Defendants’ motion, the Court finds there is good cause for the issuance of a protective order and Defendants’ motion is hereby GRANTED.

It is further ORDERED that:

- Defendants shall have no obligation to produce discrimination complaints and case

files or summary spreadsheets which identify complainants, respondents, and case information on an individual, case-by-case basis.

- Defendants shall not be required to provide any further response to Plaintiffs' Interrogatory Nos. 15-17.

Tendered by:

/s/ Casey L. Hinkle

David S. Kaplan
Casey L. Hinkle
KAPLAN JOHNSON ABATE & BIRD LLP
710 W. Main Street, 4th Floor
Louisville, KY 40202
(502)-416-1630
dkaplan@kaplanjohnsonlaw.com
chinkle@kaplanjohnsonlaw.com

MIKE O'CONNELL
JEFFERSON COUNTY ATTORNEY

John F. Carroll
Jason D. Fowler
Assistant Jefferson County Attorneys
531 Court Place, Ste. 900
Louisville, Kentucky 40202
(502) 574-6321
john.carroll2@louisvilleky.gov
jason.fowler@louisvilleky.gov

Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on March 5, 2021, the foregoing was filed via the Court's electronic filing system, which will automatically send notice of such filing to all counsel of record.

/s/ Casey L. Hinkle
Counsel for Defendants